

South Hams Council



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| Title: | Agenda | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Date: | Thursday, 15th December, 2022 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Time: | 2.00 pm | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Venue: | Council Chamber - Follaton House | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Full Members: | <p style="text-align: center;">Chairman Cllr Austen Vice Chairman Cllr Taylor</p> <p><i>Members:</i></p> <table style="width: 100%; border: none;"> <tr> <td style="width: 33%;">Cllr Abbott</td> <td style="width: 33%;">Cllr Long</td> <td style="width: 33%;"></td> </tr> <tr> <td>Cllr Baldry</td> <td>Cllr McKay</td> <td></td> </tr> <tr> <td>Cllr Bastone</td> <td>Cllr O'Callaghan</td> <td></td> </tr> <tr> <td>Cllr Birch</td> <td>Cllr Pannell</td> <td></td> </tr> <tr> <td>Cllr Brazil</td> <td>Cllr Pearce</td> <td></td> </tr> <tr> <td>Cllr Brown</td> <td>Cllr Pennington</td> <td></td> </tr> <tr> <td>Cllr Chown</td> <td>Cllr Pringle</td> <td></td> </tr> <tr> <td>Cllr Foss</td> <td>Cllr Reeve</td> <td></td> </tr> <tr> <td>Cllr Hawkins</td> <td>Cllr Rose</td> <td></td> </tr> <tr> <td>Cllr Hodgson</td> <td>Cllr Rowe</td> <td></td> </tr> <tr> <td>Cllr Holway</td> <td>Cllr Smerdon</td> <td></td> </tr> <tr> <td>Cllr Hopwood</td> <td>Cllr Spencer</td> <td></td> </tr> <tr> <td>Cllr Jackson</td> <td>Cllr Sweett</td> <td></td> </tr> <tr> <td>Cllr Jones</td> <td>Cllr Thomas</td> <td></td> </tr> <tr> <td>Cllr Kemp</td> <td></td> <td></td> </tr> </table> | Cllr Abbott | Cllr Long | | Cllr Baldry | Cllr McKay | | Cllr Bastone | Cllr O'Callaghan | | Cllr Birch | Cllr Pannell | | Cllr Brazil | Cllr Pearce | | Cllr Brown | Cllr Pennington | | Cllr Chown | Cllr Pringle | | Cllr Foss | Cllr Reeve | | Cllr Hawkins | Cllr Rose | | Cllr Hodgson | Cllr Rowe | | Cllr Holway | Cllr Smerdon | | Cllr Hopwood | Cllr Spencer | | Cllr Jackson | Cllr Sweett | | Cllr Jones | Cllr Thomas | | Cllr Kemp | | |
| Cllr Abbott | Cllr Long | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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| Cllr Foss | Cllr Reeve | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Cllr Hawkins | Cllr Rose | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Cllr Hodgson | Cllr Rowe | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Cllr Holway | Cllr Smerdon | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Cllr Hopwood | Cllr Spencer | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Cllr Jackson | Cllr Sweett | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Cllr Jones | Cllr Thomas | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Cllr Kemp | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Interests – Declaration and Restriction on Participation: | Members are reminded of their responsibility to declare any disclosable pecuniary interest not entered in the Authority's register or local non pecuniary interest which they have in any item of business on the agenda (subject to the exception for sensitive information) and to leave the meeting prior to discussion and voting on an item in which they have a disclosable pecuniary interest. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Committee administrator: | Democratic.Services@swdevon.gov.uk | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

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| 1. Minutes | 1 - 14 |
| to approve as a correct record the minutes of the meeting of the Council held on 22 September 2022 and the Special Meeting held on 13 October 2022; | |
| 2. Urgent Business | |
| the Chairman to announce if any item not on the agenda should be considered on the basis that he considers it as a matter of urgency (any such item to be dealt with under 'Business Brought forward by the Chairman'); | |
| 3. Exempt Information | |
| to consider whether the consideration of any item of business would be likely to disclose exempt information and if so the category of such exempt information; | |
| 4. Declarations of Interest | |
| In accordance with the Code of Conduct, Members are invited to declare any Disclosable Pecuniary Interests, Other Registerable Interests and Non-Registerable Interests including the nature and extent of such interests they may have in any items to be considered at this meeting; | |
| 5. Business Brought Forward by the Chairman | |
| to consider business (if any) brought forward by the Chairman; | |
| 6. Annual Health and Safety Policy Statement | 15 - 36 |
| 7. Tamar Valley AONB Management Plan Extension | 37 - 46 |
| 8. Dartmouth Neighbourhood Plan | 47 - 160 |
| 9. Kingsbridge, West Alvington and Churchstow Neighbourhood Plan | 161 - 282 |
| 10. Reports of Bodies | |
| to receive and as may be necessary approve the minutes and recommendations of the under-mentioned Bodies | |
| * Indicates minutes containing recommendations to Council | |
| (a) Salcombe Harbour Board - 13 June 2022 | 283 - 290 |
| (b) Overview & Scrutiny Committee - 16 June 2022 | 291 - 294 |
| (c) Overview & Scrutiny Committee - 21 July 2022 | 295 - 300 |

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|--|------------------|
| (d) Development Management Committee - 7 September 2022 | 301 - 310 |
| (e) Audit & Governance Committee* - 8 September 2022 | 311 - 316 |
| (f) Executive* - 21 September 2022 | 317 - 324 |
| (g) Salcombe Harbour Board - 26 September 2022* | 325 - 330 |
| (h) Overview & Scrutiny Committee - 29 September 2022 | 331 - 334 |
| (i) Development Management Committee - 5 October 2022 | 335 - 342 |
| (j) Executive* - 13 October 2022 | 343 - 350 |
| (k) Audit & Governance Committee - 20 October 2022 | 351 - 354 |
| (l) Overview & Scrutiny Committee - 3 November 2022 | 355 - 362 |
| (m) Development Management Committee - 9 November 2022 | 363 - 368 |
| (n) Licensing Committee* - 17 November 2022 | 369 - 372 |
| (o) Executive* - 1 December 2022 | 373 - 382 |
| 11. Public Question Time | 383 - 384 |
| 12. Questions | |

to consider the following question(s) (if any) received in accordance with Council Procedure Rules;

- a. From Cllr Hodgson to Cllr Holway (lead Executive Member for Climate Change and Biodiversity)**

“With wider recognition of the climate crisis at COP 27 and the current international energy crisis, will SHDC support the opportunity to increase renewable energy capture in Devon by active lobbying to the Government for the National Grid link, to be installed as a matter of urgency?”

- b. From Cllr Hodgson to Cllr Baldry (lead Executive Member for Environment)**

“In moving forward with the Devon Carbon Plan and recognising that waste

management has a high carbon footprint, can support be provided for Devon Community Recycling Network to enable them to provide direct support with, promotion, information and advice for new locally based community composting initiatives coming forward?"

c. From Cllr Hodgson to Cllr Bastone (Deputy Leader of the Council)

"Now that regular SHDC Traveller Forum meetings are starting to take place, what is the current position with progress with developing serviced traveller sites in South Hams and is additional funding needing to be allocated in the forthcoming annual budget to properly address this need?"

d. From Cllr Hodgson to Cllr Pearce (Leader of the Council)

"Now that Teignbridge is pursuing the development and direct delivery of council housing to provide much needed social housing, will SHDC follow this model and establish a similar initiative for the South Hams. Please can an update on Team Devon plans and initiatives towards delivering social housing be provided?"

13. Notice of Motion

to consider the following motions received (if any) in accordance with Council Procedure Rules

a. From Cllr Pearce and Cllr Brazil

"This Council will adopt a 100% Council Tax premium on second homes as soon as legislation allows."

b. From Cllr Sweett and Cllr Long

"The Council will write to Central Government and trading standards requesting that all nicotine products including all types of "Vapes" are immediately subjected to the same restrictions as cigarette products."

Agenda Item 1

MINUTES OF THE MEETING OF THE SOUTH HAMS DISTRICT COUNCIL HELD IN THE COUNCIL CHAMBER, FOLLATON HOUSE, TOTNES ON THURSDAY 22 SEPTEMBER 2022

MEMBERS

* Cllr L Austen – Chairman

* Cllr B Taylor – Vice-Chairman

| | |
|--------------------|------------------------|
| * Cllr V Abbott | * Cllr M Long |
| * Cllr K J Baldry | * Cllr J McKay |
| * Cllr H D Bastone | * Cllr D M O’Callaghan |
| * Cllr J P Birch | * Cllr G Pannell |
| * Cllr J Brazil | * Cllr J A Pearce |
| * Cllr D Brown | * Cllr J T Pennington |
| * Cllr M Chown | * Cllr K Pringle |
| * Cllr R Foss | * Cllr H Reeve |
| * Cllr J D Hawkins | ∅ Cllr J Rose |
| * Cllr J M Hodgson | * Cllr R Rowe |
| * Cllr T R Holway | * Cllr P C Smerdon |
| * Cllr N A Hopwood | * Cllr B Spencer |
| * Cllr S Jackson | * Cllr J Sweett |
| * Cllr L Jones | * Cllr D Thomas |
| ∅ Cllr K Kemp | |

* Denotes attendance

∅ Denotes apology for absence

Officers in attendance and participating:

For all items: Senior Leadership Team; Monitoring Officer; Democratic Services Manager; Head of Waste and Environmental Services; and Strategic Planning Manager (Joint Local Plan)

32/22 MINUTES

The minutes of the Council meeting held on 14 July 2022 were confirmed as a true and correct record.

33/22 DECLARATIONS OF INTEREST

Members were invited to declare any interests in the items of business to be considered during the course of the meeting but there were none made.

34/22 BUSINESS BROUGHT FORWARD BY THE CHAIRMAN

As this was the first meeting of the Council since Her Majesty Queen Elizabeth II and former Councillors Simon Wright and Christine Ramsay had sadly passed away, the Chairman asked those in attendance, as a mark of respect, to stand and observe a minute’s silence in their memory.

WASTE AND RECYCLING SERVICES UPDATE

The Council considered a report that provided an update on progress made following the decisions taken by the Council regarding the Waste and Recycling Service at its meeting held on 14 July (Minute 22/22 refers).

In addition, the recommendations from the Executive meeting held on 21 September 2022 (Minute E 33/22 refers) were also presented for consideration.

In discussion, the following points were raised:

- (a) In recognition of the environmental and sustainability benefits, there was disappointment expressed that, despite the Council allocating £200,000, there had yet to be any take up of any additional Community Composting Schemes across the District. However, it was noted that some Town and Parish Councils were already operating such schemes prior to the Council having been the grant funding available;
- (b) Some Members felt that the proposal to charge for the Garden Waste Collection Service would offer residents the choice on whether or not to engage with the service. In addition, the point was made that a service charge was necessary in order to make the Service financially viable moving forward;
- (c) When questioned, assurances were given that a detailed (and appropriately worded) letter would be sent from the Council to all of its residents concerning the new in-house Service. Furthermore, it was felt essential that frequent (and frank) communication was shared with residents during the operation of the Waste and Recycling Service as a whole;
- (d) Officers confirmed that provision for an Assisted Collections service would be retained as part of the newly introduced charged Garden Waste Collection service;
- (e) It was confirmed that the Council would do its utmost to empty all brown bins before the Garden Waste Collection service was terminated at the end of October 2022;
- (f) Some Members raised concerns over the potential increase in the use of bonfires and fly-tipping as a means of disposal of garden waste for those residents not willing to subscribe to the new service, further stating that the benefits of household and Community Composting initiatives should be reinforced by all Members and the Council;
- (g) Members received a further financial update from the Section 151 Officer providing clarity on the financial implications of returning the Waste and Recycling collection service in-house and how the chargeable Garden Waste Collection service would help to mitigate those additional costs.

It was then:

RESOLVED

1. That the non-statutory Garden Waste Collection Service be ended with effect from Monday, 31 October 2022 to ensure that there are sufficient resources and capacity to deliver the statutory waste and recycling collection services; and
2. That a chargeable, fortnightly Garden Waste collection service be introduced from early spring 2023 at a charge of £49 per bin per household subscription.

36/22

CLIMATE EMERGENCY PLANNING STATEMENT

Consideration was given to a report that sought approval of the Plymouth and South West Devon Climate Emergency Planning Statement.

In her introduction, the Leader advised that the date of the proposed implementation of the Statement had now been changed to 31 October 2022. This delay was due to the postponement of the associated Plymouth City Council meeting as a consequence of the death of HM Queen Elizabeth II.

In discussion, there was widespread enthusiasm and support for the Statement although it was highlighted that mention of some key elements, for example energy efficiency, were missing from the Glossary within the Statement.

It was then:

RESOLVED

That, subject to Plymouth City Council and West Devon Borough Council agreeing likewise:

1. the Plymouth and South West Devon Climate Emergency Planning Statement (as set out in Appendix 1 of the presented agenda report) be formally adopted as an interim policy statement, pending completion of the next review of the Plymouth and South West Devon Joint Local Plan; and
2. the Climate Emergency Compliance Forms (as set out in Appendix 2 of the presented agenda report) be approved for inclusion in the Local Validation Lists.

PLYMOUTH AND SOUTH DEVON FREEPORT- APPROVAL OF THE MAKING OF A COMPULSORY PURCHASE ORDER(S) FOR THE LANGAGE FREEPORT (THE "SCHEME")

The Council considered a report that sought approval for the making and publishing of a Compulsory Purchase Order (CPO) (including any required supplemental CPO) for the Langage Freeport (the 'Scheme') and subsequently to secure the confirmation and implementation of a CPO in relation to the CPO Land at Langage.

In the ensuing debate, the following points were raised:

- (a) Officers advised that the preferred outcome would be to reach a negotiated agreement on the sale of the land rather than to use the CPO process, which was largely a fall-back position. Direct negotiations or negotiations between the parties and a development partner wishing to deliver the site would continue. However, the project was time-bound and although all options were being explored and this would continue to be the case until the final moment, the CPO process was required to run in parallel in order to ensure the deadlines were met should the negotiations ultimately fail;
- (b) A Member queried how the land would be valued in the CPO process. In response, it was confirmed that the Council and the Landowner(s) would each be represented by a Chartered Surveyor and it would be through their negotiations that the value of the land would be determined. It was further stated that the valuation of the land would likely be higher if a negotiated agreement was reached before moving to the CPO process;
- (c) Questions of clarity were asked about the financial implications and how it was proposed that the borrowing would be funded. In response, it was confirmed that retained Business Rates would be used and that there was no requirement for the Council to pay directly to support the borrowing;
- (d) It was reiterated that, although part of the Dartmoor National Park appeared within the outer boundary of the Freeport, there would be no impact on the area, particularly in terms of Planning and Development;
- (e) Once developed, Members were informed that the site would produce Green Hydrogen which was an environmentally friendly solution for powering those larger vehicles not currently suitable to be Electric Vehicles due to restrictions on battery size. The direct linkages to the Council's Climate Change and Biodiversity Emergency were recognised and welcomed by Members;
- (f) In opposing the proposals, a Member cited his growing unease at the apparent shift in direction of travel by Central Government from Freeports to Investment Zones. Moreover, the Member did not support the extent of the delegated authority being proposed for a senior officer in the recommendations without the need for any consultation with elected Members.

It was then:

RESOLVED

- 1) That approval be given to the area to be the subject of a Compulsory Purchase Order ('CPO') or supplemental CPO as shown edged red on the plan at Appendix 1 ("the CPO Plan"), which identifies the outline area of the land and rights to be acquired for the Scheme ("the CPO Land") by voluntary acquisition or compulsory purchase;
- 2) That authority be granted to the making of CPO(s) by the Council under section 226(1)(a) of the Town and Country Planning Act 1990 in respect of all or part of the CPO Land;
- 3) That authority be granted to all necessary steps being taken to secure the making, confirmation and implementation of the CPO(s), including the publication and service of all notices, requisitions for information, statement of reasons and the preparation and presentation of the Council's case at any public inquiry required to secure confirmation of the CPO(s);
- 4) That the Council note, and give due regard in determining whether or not to authorise the making of the Orders, the public sector equality duty contained in section 149 of the Equality Act 2010 and the requirements of the Human Rights Act 1998, as detailed further in section 5 of the published agenda report;
- 5) That the Council give authority for agreements to be entered into with landowners to secure the withdrawal of objections to the CPO(s) and to authorise the Director of Place and Enterprise to take all necessary steps to acquire by agreement land and/ or rights over the CPO Land, subject to any consideration payable being within the Scheme budget as set out in section 8 of the published agenda report;
- 6) That authority be delegated to the Director of Place and Enterprise to make and submit the CPO(s) to the relevant Secretary of State for confirmation and to take all necessary steps to secure the making, confirmation and implementation of the CPO(s), including the preparation and presentation of the Council's case at any public inquiry;
- 7) That, subject to confirmation of the CPO(s), authority be delegated to the Director of Place and Enterprise to acquire all the land and rights over the CPO land, including service of a general vesting declaration, notice to treat or notice of entry, subject to any compensation to be paid being within the Scheme budget as set out in section 8 of the published agenda report;

- 8) That authority be delegated to the Director of Place and Enterprise to make any necessary amendments to the CPO(s);
- 9) That authority be delegated to the Director of Place and Enterprise to negotiate and settle all necessary compensation and professional fees (including interim payments) either as agreed with landowners or as determined by the Lands Chamber of the Upper Tribunal in relation to the acquisition of land or rights forming part of the CPO Land in accordance with the Land Compensation Act 1961, the Compulsory Purchase Act 1965 and the Land Compensation Act 1973 provisions in force at the relevant time and the body of case law relevant to the assessment of compensation, where any compensation to be paid is within the Scheme budget as set out in the published agenda report;
- 10) That the Council authorise the instruction of the Scheme Project Team's legal advisers, Burges Salmon LLP, to prepare and serve such documentation as may be required for the CPO(s);
- 11) That it be noted that the costs of the CPO process (not including land acquisition costs), which are not expected to exceed £350,000, will be funded through Freeport seed funding that was approved in the Full Business Case. The Council will cash flow the work until that funding is drawn down post designation. It is possible that the Council incurs some costs supporting this activity at risk, although this risk is assessed as being low; and
- 12) That the Council recognise the internal resource requirement that the Council officer team are providing to the Freeport project to ensure its success.

38/22

SIX MONTH MEMBER MEETING ATTENDANCE RULE

The Council considered a report that sought approval for the waiver of the six-month attendance rule for a Member on grounds of ill health.

In discussion, Members were supportive of the proposed way forward.

It was then:

RESOLVED

1. That the six-month attendance rule provided for within Section 85(1) of the Local Government Act 1972 be waived for Councillor Kate Kemp due to ill health; and
2. That the permitted non-attendance time period for Councillor Kate Kemp be extended until the end of the Council term in May 2023

39/22

REPORTS OF BODIES

That the minutes and recommendations of the undermentioned bodies be received and approved subject to any amendments listed below:-

(a) Licensing Committee – 21 June 2022

(b) Audit & Governance Committee – 30 June 2022

(c) Development Management Committee – 6 July 2022

(d) Special Executive – 12 July 2022

It was noted that the Recommendations to Council contained therein had been previously considered at the meeting of Council held on 14 July 2022 (Minute 24/22 refers).

(e) Development Management Committee – 27 July 2022

40/22

PUBLIC QUESTIONS

The Chairman informed the Meeting that no Public Questions had been received for consideration at this Meeting.

41/22

QUESTIONS ON NOTICE

It was noted that no Questions on Notice had been received in accordance with Council Procedure Rules.

43/22

MOTIONS ON NOTICE

It was noted that two Motions on Notice had been received in accordance with Council Procedure Rules

a. From Cllr Hopwood and Cllr Baldry

“This Council is concerned about the effect the cost of living is having on the residents of South Hams and notes that domestic electricity and gas prices are predicted to rise even further in October this year and although capped at £2,500 this is still beyond the affordability of many of our residents. Increased energy costs will impact prices of many other products and services. This Council notes that HM Government is expected to announce £150 billion package of intervention measures targeted to the most vulnerable households to alleviate the impact of energy prices. In addition, it continues to deliver the Levelling Up initiative to provide opportunities for all, both locally and nationally. Within South Hams, this Council continues to deliver key services through Better Lives for All to identify and target those most vulnerable and at risk.”

This Council resolves to:

- 1. Write to the Prime Minister to make sure she realises the serious impact the Cost of Living crisis is having on residents of not only the South Hams but the United Kingdom.*
- 2. Work closely with HM Government to deliver South Hams share of the £500m Household Support Fund on a timely basis.*
- 3. Continue to develop and support Better Lives for All to identify and help those most in need or at greatest risk of hardship to ensure they are fully aware of the help and assistance that is available and to ensure they receive that assistance.*

In discussion, Members highlighted that residents might not be aware of the support and assistance that was already available from the Council and from other sources and that the practical help the Council could provide on aspects such as insulating homes and offering wider energy efficiency advice should be advertised widely.

It was then:

RESOLVED

That the Council:

1. writes to the Prime Minister to make sure she realises the serious impact the Cost of Living crisis is having on residents of not only the South Hams but the United Kingdom;
2. works closely with HM Government to deliver South Hams share of the £500m Household Support Fund on a timely basis; and
3. continues to develop and support the 'Better Lives for All' strategy to identify and help those most in need or at greatest risk of hardship to ensure they were fully aware of the help and assistance that was available and to ensure they received that assistance.

b. From Cllr Brazil and Cllr Thomas

"The precarious financial position of Devon County Council means that Central Government may have to intervene. If this does occur, local government reorganisation in Devon is most likely to follow. Given this scenario, this Council looks to safeguard its assets for the benefit of our local communities."

In his introduction, the proposer outlined that the intention behind the Motion was to protect the Council's assets and to keep control over them at the most local level possible and that, with the possibility of local government reorganisation in the future, such action should be taken as soon as possible.

In discussion, particular reference was made to:

- (a) the budgetary pressures facing Devon County Council (DCC).
Some Members felt reassured that DCC would be able to resolve its budget gap. As a result, Members were of the view that the motion was somewhat pre-emptive, but that it should be re-considered in the event of local government reorganisation becoming a reality;
- (b) devolving assets. The point was made by some Members that, in some areas across the South Hams, assets had already been devolved to local town and parish councils.

When put to the vote, the motion was declared **LOST**.

(Meeting commenced at 2.00 pm and concluded at 5.00 pm)

Chairman

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**MINUTES OF THE SPECIAL MEETING OF THE SOUTH HAMS DISTRICT
COUNCIL HELD AT FOLLATON HOUSE, TOTNES ON THURSDAY 13 OCTOBER
2022**

MEMBERS

* Cllr L Austen – Chairman

* Cllr B Taylor – Vice-Chairman

| | |
|--------------------|------------------------|
| * Cllr V Abbott | * Cllr M Long |
| * Cllr K J Baldry | ∅ Cllr J McKay |
| * Cllr H D Bastone | * Cllr D M O’Callaghan |
| * Cllr J P Birch | * Cllr G Pannell |
| * Cllr J Brazil | * Cllr J A Pearce |
| * Cllr D Brown | * Cllr J T Pennington |
| ∅ Cllr M Chown** | * Cllr K Pringle |
| * Cllr R Foss | * Cllr H Reeve |
| ∅ Cllr J D Hawkins | ∅ Cllr J Rose |
| * Cllr J M Hodgson | * Cllr R Rowe |
| * Cllr T R Holway | * Cllr P C Smerdon |
| * Cllr N A Hopwood | * Cllr B Spencer |
| ∅ Cllr S Jackson | * Cllr J Sweett |
| * Cllr L Jones | * Cllr D Thomas |
| ∅ Cllr K Kemp | |

* Denotes attendance

∅ Denotes apology for absence

** Denotes attendance via Teams in a non-voting capacity

Also in attendance:

Officers in attendance and participating:

For all items: Chief Executive; Director of Place & Enterprise; Director of Strategy & Governance (via Teams); Section 151 Officer; Monitoring Officer; Democratic Services Manager and Specialist – Neighbourhood Planning (Via Teams)

44/22 **URGENT BUSINESS**

The Chairman informed that he had agreed that one item of urgent business would be considered at this meeting that sought the approval of Council for both the Dartmouth and Kingsbridge, West Alvington and Churchstow Neighbourhood Plans (NPs) to proceed to Referenda.

It was confirmed that the item was considered to be urgent in light of the associated time constraints.

It was then:

RESOLVED

That the Dartmouth and Kingsbridge, West Alvington and Churchstow Neighbourhood Plans both proceed to Referenda.

45/22 **DECLARATIONS OF INTEREST**

At the time that declarations of interests were invited from the Chairman, there were none declared from Members. However, during the subsequent discussion on agenda item 4 'Plymouth and South Devon Freeport' (Minute 46/22 below refers) and, upon the advice of the Monitoring Officer, Cllr Bastone proceeded to declare a Disclosable Pecuniary Interest in that agenda item by virtue of being the Council's nominated Director of the Plymouth & South Devon Freeport and proceeded to leave the meeting during consideration of that agenda item.

46/22 **PLYMOUTH AND SOUTH DEVON FREEPORT**

Consideration was given to a report that sought Members' support for the Council to submit an Expression of Interest (EOI) for Investment Zone (IZ) status for the area currently designated as a Freeport

In discussion, the following points were raised:

- a) Clarity was sought on whether or not additional Seed Funding would be available to the Council should it submit an EOI for IZ status. In response, it was confirmed that no further Funding would be available but the other benefits were outlined;
- b) The composition of the Freeport Board was outlined and it was confirmed that it comprised of representatives of the Devon County, Plymouth City and South Hams District Councils as well as representatives from the private sector including the Sherford Consortium and Princess Yachts who's Director was the Chairman of the Governance Board;
- c) Some Members expressed concern at the lack of detail available surrounding IZ status and sought clarity on whether, if it were to be the Council's wish to submit an EOI as a result of this meeting, the decision would be binding. In reply, it was felt that once the official announcement had been made about the IZ status, there would be no further opportunity to revisit the decision;
- d) Further clarification of the IZ and Freeport boundaries was sought and Members also requested further detail on the benefits and operation of each. Officers proceeded to confirm the known details and Members were also advised that the agreed Governance procedures of the Freeport would be reflected in those of the IZ. Nonetheless, some Members reiterated that their concerns remained about the 'outer boundary' of the Freeport area;
- e) Some Members highlighted the apparent lack of clear Planning guidance within the IZ and the potential consequential impacts on the Area of Outstanding Natural Beauty and Sites of Special Scientific Interest, wildlife and the development of Affordable Housing.

Furthermore, comments contained within Government guidance stating that Planning applications would be fast tracked within Freeport and IZ areas were noted as being a further cause for concern. To mitigate these concerns, Members were reminded that the Freeport and IZ Boundaries were clear and limited to small areas within the South Hams district. It was further confirmed that the Planning consents pertaining to the Freeport area had already been secured;

- f) With regard to associated benefits that were linked to the proposals, reference was made to the Investment, Growth, Employment, Business and Training opportunities that the IZ would offer the district as a whole and that these benefits would be lost if the Council failed to submit an EOI before the deadline. As a result, a number of Members emphasised that it would be short sighted for the Council to miss out on such an opportunity;
- g) Confirmation was given by the Council's appointed representative on the Dartmoor National Park Authority (DNPA) that he had consulted DNPA officers on the Freeport / IZ boundary issue and that these Officers were confident that the Freeport activity was limited to the three named sites (Langage, Sherford and South Yard) and that there were no wider implications for the National Park;
- h) Due to the uncertainty surrounding whether or not the Council would have a further opportunity to consider its participation in the IZ, or if any decision taken at this meeting would be binding, an amendment to the recommendation was **PROPOSED** and **SECONDED** as follows:

*“That the Council submit an Expression of Interest for the Plymouth and South Devon Freeport to become an Investment Zone and in doing so gain additional economic incentives for the Sherford, Langage and South Yard sites. **Before any final decision is taken to progress with the Investment Zone, the matter is re-considered by Full Council**”*

At this point, the Monitoring Officer advised Members that the current understanding was that this Special Council meeting was the opportunity for the Council to consider the proposal and that, if supported, there would be no further opportunity to review the status of the IZ.

(Having received this advice, the Chairman exercised his discretion to adjourn the meeting at 12.50pm, with the meeting then being reconvened at 1.00pm.)

Once reconvened, the Chief Executive acknowledged that the decision facing the Council was a particularly difficult one. However, in view of the Monitoring Officer's comments and the fact that the deadline for the submission of the EOI was the following day, there would be no further information or time available before the deadline for the Council to debate the matter and although the proposed amendment satisfied the Council's Rules of Debate, if supported, there would be no effective opportunity to be able to action it.

In view of these comments, the Proposer and Seconder proceeded to formally withdraw the amendment.

In closing the debate, the Leader responded to a number of the issues raised within the discussion and thanked those in attendance for their contributions in what had proven to be a very interesting debate.

At this point and, in accordance with Council Procedure Rule 17.5, a recorded vote was then called for on the recommendation and the voting was recorded as follows:

For the motion (13): Cllrs Austen, Brown, Foss, Holway, Hopwood, Jones, Pearce, Pringle, Reeve, Rowe, Smerdon, Spencer and Taylor

Against the motion (11): Cllrs Abbott, Baldry, Birch, Brazil, Hodgson, Long, O'Callaghan, Pannell, Pennington, Sweett and Thomas

Abstentions (0): None.

Absent (7): Cllrs Bastone, Chown, Hawkins, Jackson, Kemp, McKay and Rose.

And the vote on the motion was therefore declared **CARRIED**.

It was then:

RESOLVED

That the Council submit an Expression of Interest for the Plymouth and South Devon Freeport to become an Investment Zone and, in doing so, gain additional economic incentives for the Sherford, Langage and South Yard sites.

(Meeting commenced at 11.30 am and concluded at 1.15 pm)

Chairman

Report to: **Council**
Date: **15 December 2022**
Title: **Annual Review of Health and Safety Policy Statement**
Portfolio Area: **Leader**
Wards Affected: **All**

Urgent Decision: **N** Approval and clearance obtained: **Y**

Date next steps can be taken: Upon the conclusion of this meeting.

Author: **Ian Luscombe** Role: **Head of Environmental Health and Licensing**

Contact: **01822 813713 Ian.Luscombe@swdevon.gov.uk**

RECOMMENDATION:

That Council RESOLVES to adopt the Health and Safety Policy Statement and that it is signed by the Head of Paid Service and the Leader of the Council.

1. Executive summary

- 1.1 The Council is required to prepare a written health and safety policy statement by the Health and Safety at Work etc Act 1974. The policy should be agreed and signed off by the Head of Paid Service and the Leader of the Council.
- 1.2 The Joint South Hams District Council and West Devon Borough Council Health and Safety policy documents the Council's position regarding its intentions, organisation and arrangements for ensuring the health, safety and welfare at work of their employees, and the health and safety of any other person working in, visiting the Councils, or who may be affected by their activities
- 1.3 The policy is required to be reviewed annually and where appropriate, revised to reflect any significant change within the Organisation.

- 1.4 There are no significant changes to the Policy this year. The only changes are to the naming of some job roles and some commentary to reflect the Waste Service coming back in house in South Hams.

2. Background

- 2.1 The Council is required to have a written health and safety policy under the Health and Safety at Work etc Act 1974. The Policy is an important document to set the responsibility for the health and safety of staff in the Council's employment and those persons effected by its activities. The Policy covers the entire range of Council Services.
- 2.2 The Policy is supplemented by a number of Safety Codes dealing with specific issues relevant to particular Service Groups and/or activities, e.g., Work at Height, Working Alone, Incident Reporting, etc. These Codes will have the same status as the Policy
- 2.3 The Policy adopts a sensible approach to managing risk which reflects best practice and is based on integrated management principles enabling the Council to achieve a correct balance in managing health and safety as part of an overall risk management
- 2.4 The Policy should be reviewed annually and revised to include any significant changes

3. Outcomes/outputs

- 3.1 The Council is required to have a Health and Safety Policy agreed by senior management and members, signed off by the Head of Paid Service and the Leader of the Council

4. Options available and consideration of risk

- 4.1 There is a statutory requirement to agree and implement the Councils Health and Safety Policy. Failure to do so would risk prosecution by the Health and Safety Executive and put employee's health and safety at unacceptable risk.

5. Proposed Way Forward

- 5.1 The Council should agree the revised Health and Safety Policy and continue to review it on an annual basis and/or when significant changes occur.

6. Implications

| Implications | Relevant to proposals Y/N | Details and proposed measures to address |
|------------------|---------------------------|--|
| Legal/Governance | Y | Health and Safety at Work etc Act 1974 |

| | | |
|--|---|---|
| | | The Policy conforms to the 2013 HSE guidance in order to ensure that the Council is legally compliant. Accordingly, the Policy needs to be formally adopted by the Council. |
| Financial | Y | Achieving legal compliance requires the Council's officers to actively engage in carrying out health and safety responsibilities intrinsic to their job role. The cost will be officer time which is accounted for within existing budgets. Achieving best practice will require an ongoing commitment to continuously improve the health and safety management system which will add to the cost of officer time. |
| Risk | | The potential cost of not achieving legal compliance includes: i HSE enforcement costs ii legal and court cost iii compensation costs iv loss of credibility. |
| Consultation and Engagement Strategy | | This policy is reviewed with the staff union on an annual basis. There is no requirement to consult with the public. |
| Comprehensive Impact Assessment Implications | | |
| Equality and Diversity | | The Policy applies to all members of staff and has considerations of the effect of Council activities on non-employees. Effective management of health and safety should ensure that equality and human rights are not infringed. |
| Safeguarding | | Indirect impact derived from suitable and sufficient risk assessment of activities associated with vulnerable groups |
| Community Safety, Crime and Disorder | | No direct impact |
| Health, Safety and Wellbeing | | As above, direct impact on wellbeing derived from suitable and sufficient assessment of risk of work activities, e.g., lone working |
| Other implications | | None |

Supporting Information

Appendices:

A – South Hams District and West Devon Borough Council’s Health and Safety Statement

Background Papers:

None



South Hams District and West Devon Borough Councils



West Devon
Borough
Council

HEALTH AND SAFETY STATEMENT AND POLICY

Revisions

| | |
|-----------|----------------|
| Version 1 | September 2015 |
| Version 2 | November 2016 |
| Version 3 | July 2017 |
| Version 4 | October 2018 |
| Version 5 | November 2019 |
| Version 6 | November 2020 |
| Version 7 | November 2021 |
| Version 8 | November 2022 |

Health and Safety Statement

South Hams District Council and West Devon Borough Council are fully committed to ensuring a high standard of health and safety. The Councils recognise their statutory duties protect the health, safety and welfare of staff and others connected to our work activities. We recognise the potential strategic, operational and financial risks associated with failures in health and safety and the importance of maintaining a well-resourced internal health and safety service.

This year the Council have taken the waste collection services back in house in South Hams. This has required a significant investment of time and expertise to ensure a safe, efficient operation has been put in place.

To demonstrate our commitment to health and safety we annually update the health and safety policy statement and have developed a health and safety improvement programme to continue the cycle of continuous improvement by reviewing and updating the health and safety procedures related to the work that we do. This statement, and the associated management systems detail how South Hams District Council and West Devon Borough Council will manage our health and safety responsibilities and deal with any incidents that may occur.

It will be the responsibility of the Councils' Senior Leadership team (SLT) to monitor the implementation of this policy and the councils' overall risk management performance. This will be achieved through the use of regular reporting commissioned by SLT and annual audits.

The Risk Management Group will be responsible for ensuring the work programme is delivered. They will champion health and safety compliance within the Heads of Service business areas.

The organisations have identified that technical expertise for health and safety will be provided by the Environmental Health team. They provide advice and support to the organisation as necessary.

We expect all staff to take reasonable steps to be aware of the policy, risk assessments, and the controls identified. To support the Heads of Practice in assessing risks, implementing controls, and to actively engage in any training, exercises or workshops will arranged to test the organisation's effectiveness.

Members are required to make themselves aware of the health and safety arrangements that are likely to affect them.

The Councils are committed to ensuring that the internal health and safety service is adequately resourced to enable the full implementation of this policy. This commitment includes the provision of sufficient financial resources, management and employee time, training and advisory support. The Councils have appointed a competent person to provide competent health and safety advice to the Councils.

This Health and Safety arrangements will be reviewed at least annually or more frequently where there have been significant changes to the Councils or factors affecting the Councils' activities.

Commented [DF1]: Several fonts are used throughout. Should we use only one for consistency and accessibility.

Signed: _____

Date: _____

Andy Bates, Chief Executive

1. Statement of Intent

- 1.1 This is a statement of policy by South Hams District Council and West Devon Borough Council (the Councils) about their intentions, organisation and arrangements for ensuring the health, safety and welfare at work of their employees (including Elected Members), and the health and safety of any other person working in, visiting the Councils, or who may be affected by their activities.
- 1.2 It is the intention of the Councils to do all that is reasonably practicable to provide safe and healthy working conditions for its employees and to enlist their support in achieving this. The Councils also recognise their responsibilities to ensure the health and safety of elected members, members of the public, visitors and contractors when on their premises and others who may be affected by their activities.

2. Policy

- 2.1 It is the policy of the Councils as employers that they will comply so far as is reasonably practicable, with the requirements of the Health and Safety at Work etc. Act 1974 and all other relevant statutory provisions.
- 2.2 This policy is supported by Codes of Practice that apply throughout the Councils and will have the same status as this policy. The Codes of Practice will reflect:
- minimum legal requirements
 - best practice.
- 2.3 The Councils will do all that is reasonably practicable to prevent personal injury and illness, loss and damage to premises, plant and equipment by:
- Appropriate assessment and management of risk for all activities and seeking to eliminate hazards and/or reduce risks;
 - ensuring appropriate competence of all employees in health and safety by the provision of information, instruction, training, supervision, management support and performance appraisal;
 - ensuring close co-operation and participation of management and staff through normal working relationships and consultation with employees.
- 2.4 The Councils will pursue the above aims by the implementation of the objectives at **Appendix A**.
- 2.5 The remainder of this document contains the following sections:
- Organisation and responsibilities
 - Arrangements for implementation

- Objectives.

3. Policy Review

- 3.1 This policy will be reviewed annually, in consultation with the unions, by the Internal Health and Safety Service who will advise the Senior Leadership Team (SLT) on possible amendments
- 3.2 The Codes of Practice will be reviewed by the Internal Health and Safety Service as and when legislation changes, best practice dictates or when otherwise necessary.

4. Organisation and responsibilities

- 4.1 This part of the policy describes the organisational arrangements within the Councils for ensuring health and safety at work. Health and Safety issues are line management responsibilities alongside and of equal importance to responsibilities for the provision of services and the management of resources.

4.2 Head of Paid Service

- 4.2.1 The **Head of Paid Service** has overall responsibility to ensure, so far as is reasonably practicable, the health, safety and welfare at work of all the Councils' employees and members, to ensure, so far as is reasonably practicable, the health and safety of others who work in and visit the Councils or may be affected by the Councils' activities.
- 4.2.2 The **Head of Paid Service** will include Health and Safety in his/her annual report to Council.

4.3 Directors

- 4.3.1 Directors are responsible for the implementation of this policy in the areas over which they have control. Oversight of the function sits with the **Director of Strategy and Governance**

4.3.2 Head of Environmental Health and Licensing

The **Head of Environmental Health and Licensing** will be responsible for providing an internal health and safety service to the Councils which will be the competent assistance as required by the Management of Health and Safety at Work Regulations 1999. To avoid confusion this should be a named officer.

4.4 Heads of Service

Heads of Service are responsible for ensuring the implementation, coordination and monitoring of this policy and associated Codes of Practice,

and the overall health and safety management of the staff within their control. In particular, they must:

- carry out risk assessments and ensure that safe working conditions are maintained;
- ensure that staff within their control are trained and instructed in safe methods and comply with them;
- ensure that all accidents, incidents and near misses are reported and investigated and steps taken wherever possible to prevent a recurrence.

4.5 Heads of Service may nominate officers with Day-to-Day Responsibility for Health and Safety in their respective services/departments and inform their staff and the Internal Health and Safety Service accordingly but this will not remove the Head of Services's responsibilities.

4.6 **Employees**

Employees shall:

- take reasonable care for the health and safety of themselves and of other persons who may be affected by their acts or omissions;
- co-operate with their manager in the implementation of this policy;
- follow safe working practices at all times;
- report accidents, incidents and near misses to their line manager;
- report unsafe working conditions and hazards to their line manager or other appropriate person.

4.7 **Key staff with additional health and safety responsibilities**

In addition to their responsibilities as managers the following Heads of Services will also have the responsibilities shown at **Appendix B**:

- Head of Environmental Health and Licensing
- Head of Maritime
- Head of Human Resources
- Members of the Internal Health & Safety group

4.8 **Members of the Internal Health & Safety group**

- Membership of the Internal Health and Safety Group will consist of Heads of Practice and Managers and other relevant persons
- The group will be a forum for discussion for Internal Health and Safety matters and responsible for developing and progressing health and safety awareness throughout the Councils.
- The group will identify and implement work programmes relating to internal health and safety, including a programme of auditing and review, and any other tasks arising to achieve compliance with regulatory requirements or best practice.

- A member of SLT will be in attendance. This will enable key decisions to be made or effectively escalated to SLT.
- This group will also be a point of contact for Union Representatives and Staff Forums.

4.9 Head of Environmental Health and Licensing (Internal Health and Safety)

The Head of Environmental Health and Licensing is responsible for the Internal Health and Safety service. The Internal Health and Safety service provides the competent advice to the Councils on matters relating to health, safety and welfare at work across the Councils. Their objectives include:

- providing specialist support and guidance to the Councils on the effective management of health and safety;
- to help promote and maintain a high standard of total health (physical and mental) for all persons working in the Councils;
- the safeguarding of all staff from health and safety hazards arising from their work or the environment by means of accident prevention, environmental control and prevention of injury and illness;
- to receive all Incident/Near Miss reports, maintain an Incident/Near Miss database and publish performance statistics.

5. Arrangements for implementation

5.1 This part of the policy describes the general arrangements for the implementation and monitoring of health and safety at work.

5.2 Strategic aims, objectives and three-year action plan

The aims, objectives and three-year safety plan set out the Councils' commitment to provide a healthy and safe environment for all those who work in and visit the Councils. The plan reflects best practice and is based on the principles of loss control and quality management.

This approach is designed to:

- address the health and safety implications of the various activities of the organisations;
- identify the hazards and assess the level of risk;
- apply the following general principles of prevention in the order shown:
 - avoiding risks;
 - evaluating the risks which cannot be avoided;
 - combating the risks at source;
 - adapting the work to the individual, especially as regards the design of workplaces, the choice of work equipment and the choice of working and production methods, with a view, in particular, to alleviating

monotonous work and work at a predetermined work-rate and to reducing their effect on health;

- adapting to technical progress;
- replacing the dangerous by the non-dangerous or the less dangerous;
- developing a coherent overall prevention policy which covers technology, organisation of work, working conditions, social relationships and the influence of factors relating to the working environment;
- giving collective protective measures priority over individual protective measures; and
- giving appropriate training and instructions to employees.

5.3 Codes of Practice

5.3.1 Where a need is identified, through legislation, risk assessments, best practice, health and safety auditing, the proceedings of committees or other means, a Code of Practice will be established to set the standard of implementation and operation for the identified topic. These Codes of Practice will be reviewed as and when legislation changes or practice dictates.

5.3.2 The Codes of Practice shall have the same status as the main policy document and will outline how to implement the requirements of the main policy in specific risk areas.

5.4 Training

5.4.1 The Internal Health and Safety Service in conjunction with the training partnership and workplace managers and supervisors, will provide guidance on Health and Safety Training and general training needs, and identifying those key workers who should attend. The Internal Health and Safety Team will administer health and safety training across the organisations and develop a training competency matrix, which will establish key training for all staff.

5.4.2 Each Service will ensure that good working arrangements for health and safety training exist. This training will include attendance at corporate induction training and appropriate special to job induction training.

5.4.3 Each Service will ensure that health and safety is included as an integral part of their annual business plan.

5.4.4 Records of safety training provided will be maintained on Team Spirit and may also be maintained by service managers.

5.4.5 The identification of health and safety training needs is to be part of the annual appraisal process. Managers are responsible for identifying the training needs of individuals. The Internal Health and Safety Team needs in conjunction with Human Resources will be responsible for an analysis of the corporate training.

5.5 Risk assessment

5.5.1 Each manager/supervisor shall make a suitable and sufficient assessment of:

- the risks to the health and safety of his employees to which they are exposed whilst they are at work; and
- the risks to the health and safety of others who may be affected by their activities,

for the purpose of identifying the measures necessary to ensure a safe and healthy place of work.

5.5.2 In addition to the general risk assessment set out at paragraph 5.5.1 there may also be a need for a specific risk assessment and the need for that should be identified and if possible carried out at the same time. These specific assessments are shown in the appropriate Code of Practice on Assessment of Risk but include:

- manual handling ((including the lifting, putting down, pushing, pulling, carrying or moving of a load);
- display screen equipment (computing and word processing);
- hazardous substances etc;
- young people
- pregnancies.

5.5.3 Risk assessments will be reviewed:

- Periodically as recorded on the risk assessment;
- when an accident, incident or near miss occurs;
- when purchasing new equipment;
- changing work practices etc; or moving into a new work area.

5.5.4 Managers/supervisors are to monitor work activities to ensure that risk assessments and control measures are still suitable and sufficient and take appropriate action to review when necessary.

5.5.5 Where a need for a generic risk assessment is identified (e.g. work in offices, activities of a similar nature taking place in more than one service) the internal health and safety service will be responsible for carrying out the assessment and monitoring as required by paragraph 5.5.4

5.6 Health and safety standards, audit and inspection

5.6.1 A set of health and safety standards has been designed and each Service will make their own arrangements for reviewing their level of achievement annually which will be reported in their service plan. The standards are shown at **Appendix C**.

5.6.2 The Internal Health and Safety Team will develop a programme of audits and a standardised form to identify whether the management of risk has been carried out in each service area. The programme should be designed to reflect the needs of the Councils and the individual Service and will take into account the particular kinds of hazard or health and safety issues encountered. The timing of health and safety audits will appear in the annual safety plan and will be proportionate to the level and scope of the hazards and risks present.

5.6.3 The combination of the review of safety standards and the audit process is designed to ensure that we can demonstrate our level of health and safety management. The results will be analysed, considered, prioritised and shaped into an action programme.

5.7 Occupational health

5.7.1 Occupational health is concerned with work-related problems and health and safety in the workplace. An occupational health service for staff is provided under arrangements made by Human Resources. Further details may be obtained from the Human Resources Office.

5.8 Incidents

5.8.1 Any incident or injury occurring whilst at work or on the Council's premises, however trivial it may appear at the time, must be reported to the Internal Health and Safety Service on the prescribed form.

5.8.2 Any report of an incident caused by defective fixtures and fittings, furniture, equipment etc. should make the cause clear so that steps can be taken to rectify the fault and avoid a recurrence.

5.9 First Aid Arrangements and Medical facilities

5.9.1 Details of first aid arrangements and medical facilities for the Councils are given in the appropriate Code of Practice and on the Health and Safety pages of the Intranet.

5.10 Eye tests for display screen equipment users

5.10.1 Members of staff or elected members who are users of display screen equipment (computers etc) are eligible for the refund of the cost of an eye test. If it is confirmed by the optician that they require spectacles specifically for display screen equipment use, a further refund may be provided for the cost of a basic pair of spectacles. Further details are available from the Internal Health and Safety Service and on the Health and Safety pages of the Intranet.

5.11 Smoking and vaping

5.11.1 Smoking or vaping is not permitted in any of the Councils' premises. The text of the policy is set out in the appropriate Code of Practice and on the Health and Safety pages of the Intranet. This also extends to the use of E-Cigarettes.

5.12 Emergency Procedures

5.12.1 Fire

Details of the procedure in the case of fire are provided at each of the Councils' premises. Fire Safety training is also covered on the Induction Courses which is mandatory for all staff, in the health and safety training prospectus and periodically as a refresher.

5.12.2 Emergency procedures for staff with disabilities

On joining the Councils, any member of staff or elected member who has a disability that might impede their evacuation or the evacuation of anyone else should bring this to the attention of their manager. A personal evacuation plan will be drawn up by the responsible manager, in conjunction with the Internal Health & Safety Service, and this should be brought to the attention of colleagues working in the same locality. Staff who develop a disability during their employment in the Councils should also consult their manager.

5.12.3 Threats Against the Councils

On receipt of a threat against the Councils including those by letter or suspect package suspicious letter or parcel, staff should:

- make no attempt to open it;
- place the package carefully on the nearest firm surface; and
- telephone Follaton House Building Management (extension 1227) and Kilworthy Park Facilities (extension 3611/3609)

A more detailed risk assessment is available to staff working in the post room.

5.13 Security

Responsibility for security within the Councils' premises rests with the manager of each site. Staff are however expected to exercise all reasonable vigilance and, in particular, are responsible for any visitors they may bring into the Councils' premises.

5.14 Arrangements for Names badges and access cards and for Access Control

Where there is a need to provide staff and elected members with name badges and access cards or for access control the Facilities service will make the necessary arrangements.

5.15 Consultation With Employees

5.15.1 Consultation with employees on health and safety matters is essential and a statutory requirement.

5.15.2 Suitable arrangements are to be put in place for staff consultation and Terms of Reference agreed as appropriate.

.....
Andy Bates
Chief Executive

.....
Judy Pearce
Leader of the Council

South Hams District Council
Follaton House
Totnes
TQ9 5NE

.....
Neil Jory
Leader of the Council

West Devon Borough Council
Kilworthy Park
Tavistock
PL19 0BZ

Date November 2022

Appendices

- Appendix A Aims and Objectives
- Appendix B Key Staff With Additional Health and Safety Responsibilities
- Appendix C Standards Linked To Health and Safety Objectives

Aims and Objectives

Aims

- To ensure that a robust safety management system is in place;
- To provide and maintain a work environment that is safe and without risk to health for all employees, contractors and others who may be affected by the activities of the council;
- To avoid all accidents and to ensure that no one suffers ill health as a result of working at South Hams District Council or West Devon Borough Council or by the activities of the Councils;
- To plan and manage activities so that hazards are assessed and risks eliminated or controlled in so far as is reasonably practicable by appropriate prevention and protection measures

Objectives

- Fully integrate health and safety into the management and decision-making processes within the Councils.
- Ensure appropriate systems are developed and maintained for the effective communication of health, safety and welfare matters throughout the Councils.
- Comply with all relevant Statutes, Regulations and Codes of Practice. The minimum standards that will be adopted by the Councils will be those required by law, although the Councils will always seek to exceed these where there is a demonstrable benefit.
- Devote appropriate resources in the form of finance, equipment, personnel and time to ensure the maintenance of health, safety and welfare standards.
- Provide necessary information, instruction and training to employees and others, including temporary staff, to ensure their competence with respect to health, safety and welfare.
- Ensure appropriate liaison with all necessary persons to ensure an appropriate standard of health, safety and welfare. The Councils will also ensure that adequate arrangements are also in place for ensuring the health and safety of non- employees who may be affected by the Councils' activities.
- Ensure that all employees are aware of their responsibilities to take reasonable care of themselves and others who could be affected by their acts or omissions and to co-operate with management in achieving the standards required.
- Ensure that managers are aware of their specific duties and responsibilities to comply with the letter and spirit of the Councils' policy and that the management of health, safety and welfare is an integral part of their function and their performance will be monitored along with their other duties.
- Carry out appropriate investigation of accidents, incidents and 'near-misses' and necessary action taken to reduce the likelihood of a recurrence.
- Establish procedures to ensure that safe equipment and plant are provided for employees and non-employees.
- Establish procedures for the appointing and monitoring of the competency of contractors.

Appendix B

Key Staff with Additional Health and Safety Responsibilities

1. Head of Environmental Health and Licensing, in addition to his enforcement responsibilities in the commercial sector, will:
 - a. to be appointed as the Councils statutory appointed competent person under the Health and Safety at Work etc Act 1974
 - b. Provide a health and safety advisory service to the Councils by means of the Internal Health and Safety Service;
 - c. Advise the Internal Health and Safety Service on matters of Environmental Health and Licensing, relating to activities carried out by the Councils;
 - d. When necessary, monitor the atmosphere and assess noise levels in certain areas of work;
2. Head of Maritime will ensure that:
 - a. The Dartmouth Lower Ferry operates in accordance with the South Hams District Council's approved Domestic Safety Management Code as required by the Merchant Shipping (Domestic Passenger Ships) (Safety Management Code) Regulations 2001) and that reviews of the Code take place when necessary and at not less than 3 yearly intervals.
 - b. The Salcombe Harbour Safety Management System as required by the Department for Transport Port Marine Safety Code is produced and reviewed at the prescribed intervals.
3. Head of Human Resources will have responsibility for:
 - a. Advising elected Members and Officers on the personnel implications of the Councils' Health and Safety Policy;
 - b. Consultations and negotiations with representatives of the staff on those aspects of the Health and Safety policy which affect the staff and their conditions of employment;
 - c. In conjunction with the Internal Health and Safety Service provide suitable induction and other training for staff in health and safety matters, including the administration of the training programme and the organisation of training courses within the Councils;
 - d. Ensure that an appropriate paragraph concerning risk management and health and safety is included in each job description.
4. Internal Health & Safety group will have responsibility for:
 - a. identifying and implement work programmes relating to internal health and safety, including a programme of auditing and review, and any

- other tasks arising to achieve compliance with regulatory requirements or best practice.
- b. the administration of health and safety training across the organisations and develop a training competency matrix.

APPENDIX C

Standards linked to Health and Safety Objectives

| Performance levels | | | |
|--|--|--|---|
| 1 | 2 | 3 | 4 |
| Communication and Consultation - Management will ensure that appropriate systems are developed and maintained for the effective communication of health, safety and welfare matters throughout the Councils. The Councils will liaise and work with all necessary persons to ensure an appropriate standard of health, safety and welfare. The Councils will also ensure that adequate arrangements are also in place for ensuring the health and safety of those who are not their employees | | | |
| Health & safety is not discussed and changes are made without consulting with staff or managers | Health & Safety is a standard item on managers meetings, for all staff during first week induction and following any incident. Changes which may affect H&S are openly discussed with managers | Health & Safety is a standard item on managers and team meetings, for all staff during first week induction and following any incident and as part of risk assessment. Changes which may affect H&S are openly discussed with managers and staff | Health & Safety is a standard item on managers and team meetings for all staff during first week induction and following any incident and as part of risk assessment. Any matters arising are followed up to a conclusion. Changes which may affect H&S are openly discussed with managers and staff and comments or arguments welcomed |
| Contractors - The Councils will ensure that procedures are established for appointing and monitoring the competency of contractors. | | | |
| Contractors are selected without considering any health and safety implications | Contractors are selected after checking their health and safety management and systems | Contractors are selected after checking their health and safety management and systems and agreeing method statements and working processes. The Council's Internal Health and Safety Service is involved. | Contractors are not used OR Contractors are selected after checking their health and safety management and systems and agreeing method statements and working processes. The Council's Internal Health and Safety Service is involved. Contractors are actively monitored during the contract works and a record is maintained. |
| Monitoring of health and safety including risk assessments and working practices | | | |
| No monitoring of health and safety takes place | When problems are brought to the attention of managers the matter is looked into | Regular checks of some aspects of health and safety are made | A programme of checks on health and safety is produced and followed |
| Planning including the effects of service changes and requirements on health and safety | | | |

| | | | |
|---|---|---|--|
| There is no consideration of health and safety in my planning | Health and safety is included in my Service Plan but not to any great extent | Health and safety is included in my Service Plan and general planning for my service. Key hazards are identified together with targets for removing or mitigating the risks | Health and safety is a feature of all planning in the service. My service plan identifies key hazards and shows targets for removing or mitigating the risks. Progress is actively monitored. |
| Risk assessment - <i>The Councils' approach to health, safety and welfare is based on the identification, management and control of risks. There are distinct benefits to be gained from providing a safe and healthy working environment, and appropriate levels of resources will be allocated to promoting, developing and maintaining the standards of health, safety and welfare within the Councils.</i> | | | |
| No risk assessments have been carried out | Risk assessments have been carried out for all activities | Risk assessments have been carried out for all activities, control measures put in place and communicated to those affected. Review of assessments is carried out | Risk assessments have been carried out for all activities, control measures put in place and have been communicated to those affected and training has been provided. Monitoring and reviewing of assessments is carried out and recorded. |
| Training - <i>The Councils will provide the necessary information, instruction and training to employees and others, including temporary staff, to ensure their competence with respect to health, safety and welfare.</i> | | | |
| Training is not provided. | Health and safety training needs are identified during the annual appraisal process but not monitored | Health and safety training needs are identified during the annual appraisal process, and when they arise during the year | Health and safety training needs are identified during the annual appraisal process, and when they arise during the year and monitoring carried out to ensure that training takes place |

South Hams District Council and West Devon Borough Council aim to ensure equality of opportunity in the delivery of their policies, services and employment practices. South Hams District Council and West Devon Borough Council will challenge discrimination, and encourages other organisations within South Hams and West Devon to act in accordance with Equality legislation.

This Policy is available in large print or Braille upon request.

If you require any help completing associated paperwork please contact the Internal Health and Safety Service extension 1475.

Report to: **Council**

Date: **15 December 2022**

Title: **Tamar Valley AONB Management Plan extension**

Portfolio Area: **Cllr J Pearce
Leader**

Wards Affected: **Bickleigh and Cornwood**

Urgent Decision: **N** Approval and clearance obtained: **Y**

Date next steps can be taken: Immediately following this meeting.

Author: **Rob Sekula** Role: **Principal Natural Resources & Greenspaces Officer**

Contact: **01822 813701**
Rob.Sekula@swdevon.gov.uk

RECOMMENDATION

That the Council confirm agreement to extend the Tamar Valley AONB Management Plan (2019-2024) by up to 12 months to the end of 2025.

1. Executive summary

- 1.1 The Council confirmed adoption of the current Tamar Valley AONB Management Plan (2019-2024) in February 2019.
- 1.2 A review and production process for the 2024-2029 Management Plan was due to begin in late 2022, with a new version expected to be consulted on and approved by relevant Local Authorities by 2024 at the latest.
- 1.3 Following the 'Glover' Review 2019, Defra has asked Natural England to revise its guidance on the approach to AONB Management Plans.
- 1.4 Defra has suggested that AONBs may wish to extend their current Management Plans by up to 12 months to ensure their next plans align and consider any new guidance from Natural England which is expected in 2023.

- 1.5 The Tamar Valley AONB Executive has agreed that this is the approach that should be taken for the Tamar Valley AONB Management Plan and is seeking approval of this extension from the respective Local Authorities covering the AONB.

2. Background

- 2.1 Under the Countryside and Rights of Way Act (2000), it is a statutory requirement for Local Authorities to produce Management Plans for AONBs in their area, and to review adopted plans at periods of not more than five years.
- 2.2 The District Council as well as the other four relevant Local Authorities has delegated the authority to review and implement the Tamar Valley AONB Management Plan for the next five years to the Tamar Valley AONB team. The current Management Plan was sent to the Secretary of State in 2019 and covers the period to 2024.
- 2.3 Typically the process of Management Plan review would have commenced towards the end of 2022, with a new version to be consulted upon and approved by respective Local Authorities by 2024.
- 2.4 Soon after adoption of the existing Management Plan in 2019, there was a national review of Protected Landscapes (AONBs and National Parks) commissioned by the Government, known as the Glover Review.
- 2.5 Following a key recommendation of the Glover Review, Defra asked Natural England to revise its guidance on the key requirements, format and process of AONB Management Plans, to ensure that future plans meet the priorities and expectations of Government funders and sponsors, as well as those of other key stakeholders.
- 2.6 The outcome of the Natural England review and new Management Plan guidance are expected to be published in Spring 2023. To take account of this and ensure consistency with future guidance, Defra have written to all AONBs to give them the option to delay the publication of upcoming Management Plans (due in 2023 or 2024) by up to 12 months from their planned review date.
- 2.7 Defra have suggested that AONB Partnerships could simply produce a light-touch one page review in which they commit to produce a new Management Plan after the new guidance is produced.
- 2.8 The Tamar Valley AONB Executive has recommended the approval of an extension of up to 12 months to the existing Management Plan to enable due consideration of new Natural England Guidance, subject to approval of this extension from the respective Local Authorities covering the AONB. The Tamar Valley AONB will produce a light-touch review later this year following the advice given by Defra.

3. Outcomes/outputs

- 3.1 The intended outcome of this report is to confirm Council agreement to the Tamar Valley AONB that the existing Tamar Valley AONB Management Plan (20219-2024) can be extended by up to 12 months to the end of 2025.

4. Options available and consideration of risk

- 4.1 The alternative to the proposed approach, would be to commence the review and production process for the 2024-2029 Management Plan in late 2022 as originally envisaged. This however, would commence without the benefit of the outcome of the forthcoming Natural England review and guidance on the new requirements for AONB Management Plans.
- 4.2 In the context of Defra referencing a proposal to make 'wide-ranging and significant reforms' it is considered unwise to proceed with any Management Plan review in advance of the new Natural England guidance, running the risk of significant amounts of abortive work being undertaken, and the undermining relationships with communities and stakeholders.

5. Proposed Way Forward

- 5.1 It is recommended that Council confirm their agreement to extend the Tamar Valley AONB Management Plan (2019-2024) by up to 12 months to the end of 2025. This allowing subsequent review with the benefit of new Natural England guidance on the production of AONB Management Plans.

6. Implications

| Implications | Relevant to proposals Y/N | Details and proposed measures to address |
|------------------|---------------------------|--|
| Legal/Governance | | <p>Section 89 of the Countryside and Rights of Way Act (CRoW Act, 2000) sets out the statutory requirement for Local Authorities to produce Management Plans for AONBs in their area, and to review adopted plans at periods of not more than five years.</p> <p>Defra (in their letter from Lord Byron on 7th July 2022) advise that to comply with the CRoW Act, 2000, AONBs could <i>'simply produce a light-touch review in which they commit to produce a new Management Plan after the new guidance is published.'</i></p> <p>The Council (as well as other constituent Local Authorities – these being Cornwall Council, Devon County Council, Plymouth City Council and West Devon Borough Council) has delegated the authority of reviewing the Management Plan to the Tamar Valley AONB team.</p> |

| | | |
|--|--|---|
| Financial implications to include reference to value for money | | <p>The Council makes an annual contribution of £580 to the Tamar Valley AONB, which along with constituent Local Authority contributions amounts to 25% of the budget, a further 75% being provided by Defra.</p> <p>This contribution meets the cost of the core AONB team and their production and delivery of the AONB Management Plan.</p> |
| Risk | | <p>Failure to publish a plan and submit to the Secretary of State by end of March 2024 would result in the Council failing to meet the statutory duty set out in Section 89 of the CRoW Act.</p> <p>To meet this timetable, the AONB would need to begin the review of the Management Plan later in 2022.</p> <p>As set out in this report, such a timetable would be in advance of new guidance from Natural England expected in spring 2023.</p> <p>Accordingly, the 12 month extension of the existing Management Plan and associated one-page 'light-touch review' would ensure the Council complies with the statutory duty set out in the Crow Act, 2000.</p> |
| Supporting Corporate Strategy | | Built and Natural Environment, Climate and Biodiversity |
| Climate Change - Carbon / Biodiversity Impact | | <p>Climate Change and Biodiversity each have their respective chapters within the existing AONB Management Plan, noting the relevance to river flooding, agriculture, pollinators, erosion and land use.</p> <p>These will continue to be critical in future reviews, notably with issues such as nature recovery, farm and land management, and resilience to climate change being at the forefront of sustaining and supporting the changing landscape and communities of the Tamar Valley.</p> |
| Comprehensive Impact Assessment Implications | | |
| Equality and Diversity | | None |
| Safeguarding | | None |
| Community Safety, Crime and Disorder | | None |

| | | |
|------------------------------|--|------|
| Health, Safety and Wellbeing | | None |
| Other implications | | None |

Supporting Information

Appendices:

Appendix A – letter from The Rt Hon Lord Benyon at Defra to ANOB Partnerships dated 7th July 2022

Background Papers:

None

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Department
for Environment
Food & Rural Affairs

The Rt Hon Lord Benyon
Parliamentary Under Secretary of State

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London
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07 July 2022

Dear colleagues,

I am writing to confirm a decision by Defra, effective today, to give you and your partners an option to delay the publication of upcoming Management Plans by up to 1 year from their original planned review date, after new Management Plan guidance and new Protected Landscapes outcomes are published.

I am addressing this letter specifically to those Protected Landscape Management Plan Partnerships (hereafter: "Partnerships") that are required by law to review their next Management Plan in 2023 or 2024. For awareness, I have copied this letter to Protected Landscapes bodies who will not be affected by this option to delay and can proceed with their current review timetable as planned.

Please allow me to explain the rationale for this, and to reassure you that you are under no obligation to delay the publication of your next Management Plan if you would prefer not to and/or if a delay is unsuited to your management planning cycle.

The government committed to strengthen Management Plans in its [response to the Landscapes Review](#). We have already begun work to implement non-legislative change during 2022. For example, we are working with Natural England, National Parks England, and the National Association of AONBs to update the Management Plan guidance for both National Parks and AONBs. We are also working to ensure that new ambitious outcomes are agreed for the role of Protected Landscapes in delivering on the government's goals, aligned with the revised 25 Year Environment Plan and interim environmental targets under the Environment Act 2021 and the Net Zero Strategy.

We recognise the scale and significant implications of these reforms for management planning. We have also listened carefully to those of you who have voiced support for a more flexible and less prescriptive approach to management planning during our consultation on the Landscapes Review Response, which ended on 9 April.

We have therefore decided to grant you an option to delay publication of your next Management Plan. In practice, this option to delay will only apply to Partnerships that are required by law to review their next Management Plan in 2023 or 2024 and will therefore apply to Partnerships who currently find themselves in the middle or nearing the end of their five-year Management Plan cycle. Protected Landscapes that are due to publish their next Management Plan from 2025 onwards will not be affected by the delay and will work to the same timelines as planned.

The purpose of this optional delay is to give Partnerships time to digest new outcome-based targets (due to be published in January 2023), new Management Plan guidance (due to be published in Spring 2023), and new policies outlined in the government's response to the Landscapes Review, and to embed these more easily into their Plans.

Defra considers that that any Partnerships wishing to delay their next Plan would still need to respect their five-year review cycles as stipulated by the Environment Act 1995 (for National Park Management Plans) and the Countryside and Rights of Way Act 2000 (for AONB Management Plans). In order to comply with the law without compromising the integrity of future Management Plans, Defra judges that Partnerships could simply produce a light-touch review in which they commit to produce a new Management Plan after the new guidance is published.

Defra has considered what a light-touch review might look like and advises the following: Partnerships would agree and publish one page of text setting out their intentions for the next Management Plan. This could include a brief vision statement, a summary of how the Management Plan will be structured, and a summary of the Partnerships' objectives over the next five-year review period (carrying forward actions and/or adding new ones for the year affected by the delay). Producing a light-touch review of this nature would allow Partnerships to carry over their existing Plan by demonstrating they have considered the next Plan, in compliance with the law. Partnerships would not need to consult extensively to produce this light-touch review, as we expect it would be pitched as a continuation/extension of the current Plan.

We remain committed, however, to ensuring substantive Management Plan reviews are conducted. We therefore ask all Protected Landscapes electing to delay their next Management Plan to complete a review of that Plan no later than 31 December 2025. We will consider any requests for an additional, exceptional extension on a case-by-case basis. Although we are committed to ensuring the management planning process is more flexible going forwards, we envisage this being a one-off delay in light of the wide-ranging and significant reforms we are proposing to make.

Let me be clear that any Plans that have recently been published will remain valid and effective for their current cycle in full (that is, five years from the date of publication). We recognise the considerable work that has gone into these Plans and want to assure you that any new targets, guidance, or policies can be embedded at a later stage, either during your current cycle or as part of the next five-year review.

Once again, I would like to reassure you that this delay is optional; it is entirely up to you, as Partnerships, whether to exercise it.

I hope that this option to delay can help to ensure a smooth and flexible transition as we roll out reforms to strengthen Management Plans. As we begin this process of longer-term reforms to Management Plans, we would like to explore how we can better harmonise Management Plan cycles so that we can promote partnership working and coordination of plan implementation across the 44 Protected Landscapes, while respecting local circumstances. I look forward to your input as we develop this work.

Management Plans are vital strategic documents and I am grateful for your tireless work to draft, develop and deliver them. My officials and I look forward to continuing to work with you on multiple programmes of work linked to Management Plans, including updating the new Management Plan guidance, setting new targets for Protected Landscapes, and developing the National Landscapes Partnership and the National Landscapes Strategy.

I would be grateful if you could share this letter among your Partnerships and wider networks to ensure they are informed.

I have also copied this letter to Tony Juniper, Chair of Natural England, Philip Hygate, Chair of the National Association of AONBs, and Andrew McCloy, Chair of National Parks England.

Yours ever,



THE RT HON LORD BENYON

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Report to: **Council**

Date: **15 December 2022**

Title: **Dartmouth Neighbourhood Plan**

Portfolio Area: **Place Making**

Wards Affected: **Dartmouth and East Dart**

Urgent Decision: **Y** Approval and clearance obtained: **Y**

Date next steps can be taken: Publicise the making of the Dartmouth Neighbourhood Plan.

Author: **Elliott Hale** Role: **Neighbourhood Planning Specialist**

Contact: **Elliott.hale@swdevon.gov.uk**

RECOMMENDATION:

That Council approves the making (adoption) of the Dartmouth Neighbourhood Development Plan.

1. Executive summary

- 1.1 Neighbourhood Development Plans are a community right introduced by the Localism Act 2011. They are the responsibility of Parish Councils.
- 1.2 Once 'made', or adopted, by the Local Planning Authority, they become a part of the Development Plan for the District and are used alongside the Local Plan to decide planning applications in the area they relate to.
- 1.3 In order to comply with the Neighbourhood Planning (General) Regulations 2012, the plan must be made by South Hams District Council as the relevant Local Planning Authority within 8 weeks of a successful referendum result.

2. Background

- 2.1 The Dartmouth Neighbourhood Plan has been undertaken by Dartmouth Parish Council in accordance with the relevant legislation and regulations.
- 2.2 The Dartmouth Neighbourhood Area was designated in December 2014.

- 2.3 Following the necessary community engagement, consultation and background work, a draft plan was submitted to South Hams District Council, in accordance with Regulation 15 of the Neighbourhood Planning (General) Regulations 2012.
- 2.4 The District Council consulted on the draft plan between 25 February until 08 April 2022, in accordance with Regulation 16 of the above Regulations.
- 2.5 Following this consultation an independent examiner was appointed in accordance with Regulation 17, who confirmed that, subject to minor modifications, the plan met the 'basic conditions' as set out in legislation, and was suitable to go forward to referendum.
- 2.6 The Council agreed with the Examiner's conclusion, and a referendum held on Thursday 24 November 2022 and achieved a turnout of 17.75% of local residents. Of these, 88.29% voted in favour of the plan.
- 2.7 Following a majority vote in a referendum to 'make' the plan, it becomes a statutory part of the Local Development Plan and is used alongside the Joint Local Plan to help decide planning applications in the Neighbourhood Area.
- 2.8 Council officers have worked alongside the Dartmouth Neighbourhood Plan Group to ensure that the Neighbourhood Plan provides an appropriate framework for development in the Dartmouth area up to 2034.
- 2.9 Officers confirm that the plan meets the necessary 'basic conditions', including conformity with the Local Plan and with national policy.
- 2.10 Regulation 18a of the Neighbourhood Planning (General) Regulations 2012 requires that a neighbourhood plan is 'made' by the Local Planning Authority no later than 8 weeks from the date of a successful referendum. In this case the relevant date by which the plan should be made is 5th January 2023.
- 2.11 The Council has previously expressed support for neighbourhood plans as a way of achieving local and community priorities.

3. Outcomes/outputs

- 3.1 Once made, the Dartmouth Neighbourhood Development Plan will become part of the Local Development Plan and will be used to help decide planning applications in the Dartmouth area.
- 3.2 A successful outcome for this neighbourhood plan will provide encouragement to the many other Parishes who are currently working on neighbourhood plans.

4. Options available and consideration of risk

- 4.1 Neighbourhood Plans come into force as part of the Development Plan immediately following a successful referendum. Therefore the Dartmouth Neighbourhood Plan should now be used to decide planning applications.

- 4.2 However, in order to comply with the relevant legislation, the Local Planning Authority must make a neighbourhood plan within the required timeframe following a successful referendum, unless a legal challenge has been brought in relation to the referendum or unless there are concerns about the compatibility of the neighbourhood plan with any EU or human rights legislation. In this instance there are no such concerns.
- 4.3 Failure to make the Dartmouth Plan within the required timeframe could open the Council to legal challenge.

5. Proposed Way Forward

- 5.1 It is recommended that Council approve the making of the Dartmouth Neighbourhood Development Plan.

6. Implications

| Implications | Relevant to proposals Y/N | Details are set out in this report. |
|--|---------------------------|--|
| Legal/Governance | Y | The function of making a neighbourhood plan is the responsibility of the full Council. The Dartmouth Neighbourhood Plan has followed the procedure in the Neighbourhood Planning (General) Regulations 2012 and the referendum has been held in accordance with the Neighbourhood Planning (Referendums) Regulations 2012. The Council is therefore required to make the Neighbourhood Plan and must do so within 8 weeks of the date of the referendum. |
| Financial implications to include reference to value for money | N | There are no financial implications. |
| Risk | Y | There is a risk of legal challenge if the Neighbourhood Plan is not made within the required timeframe |
| Supporting Corporate Strategy | Y | The Council's role in the Neighbourhood Plan process is a statutory duty. |
| Climate Change - Carbon / | Y | The Dartmouth Neighbourhood Plan aligns with the Joint Local Plan and contains policies aimed |

| | | |
|--|---|---|
| Biodiversity Impact | | at mitigating the effects of Climate Change and impacts upon Biodiversity. |
| Comprehensive Impact Assessment Implications | | |
| Equality and Diversity | Y | The Neighbourhood Plan has assessed Equality and Diversity implications as part of its background evidence. |
| Safeguarding | N | None |
| Community Safety, Crime and Disorder | N | No direct implications. |
| Health, Safety and Wellbeing | Y | Positive outcomes are anticipated from the making of the Neighbourhood Plan. |
| Other implications | N | none |

Supporting Information

Appendices:

Appendix 1: Dartmouth Neighbourhood Plan - Referendum version

Background Papers:

Background documents to the Dartmouth Neighbourhood Plan on line at:-

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



REFERENDUM VERSION
SEPTEMBER 2022



Foreword

Dear Dartmouth Resident,

The beauty and appeal of our town cannot be taken for granted. Despite the obvious benefits of having a plan agreed by residents that offers a roadmap for our future and carries legal weight, producing a Dartmouth Neighbourhood Plan (DNP) has been a challenging process. Many of the issues we are tackling now have been around and identified for up to 20 years in some cases.

Over this time, there have been several studies to propose solutions to the particular issues facing our lovely town and its infrastructure. Dartmouth Town Council (DTC) agreed to resurrect the DNP in January 2019 and agreed its Terms of Reference. We have been assisted by their positive contribution and their approval of the current plan.

The economic circumstances of Dartmouth residents varies considerably across the Parish. Although large parts of the plan area are the least deprived areas in England, Townstal falls within 30% of the most deprived areas particular with respect to lowest in income, employment and health. There are signs that the deprivation scores for Townstal are rising but they remain a serious concern and the policies of this plan seek to address these inequalities.

Our DNP should be sustainable and deliverable, cater for the needs of current generations and an ageing population but ensure that growth does not mean worse lives for future generations. It seeks to sustain the natural and historic qualities of the Parish and to conserve them for the future enjoyment of all. Our vision, contained within this plan, will help shape the future of the area in which we live and work through to at least 2034.

In drawing up our plan, the policies and the process we have followed respect the Neighbourhood Planning (General) Regulations 2012. I am indebted to all members of the Steering Group and the Topic Groups for their diligence and hard work. We are grateful also for considerable help and input from the community at large and from a wide range of people and local organizations, via public surveys, our website and via consultations. The views and comments received form part of the evidence base that supports and shapes the plan.

The policies of this plan focus on land use matters and views expressed most strongly by the community such as safeguarding our natural environment and setting within the South Devon Area of Outstanding Natural Beauty (AONB), protecting our historic environment, improving our year round economy on a sustainable basis, helping address long standing transport and parking issues, improving our community facilities, providing truly affordable homes for those who need them and addressing the inequalities across our Parish. We recognise the delicate balance that must exist between protecting our heritage and providing for the future needs of a well-rounded community. To this end, we propose a coordinated approach by all key stakeholders in finding workable solutions for the common good, either as policy proposals or as aspirations that need resolution.

We now have a Plan which we believe is worthy of your attention and approval. This Plan has not been imposed on us by any other body. All local residents on the Electoral Roll can elect to decide whether or not to adopt this Neighbourhood Plan through a local referendum. It is submitted on behalf of DTC who have endorsed this version.

We hope you will support us and help to secure a positive, vibrant and healthy future for our lovely town and its residents.

Robert Brooke, Chair Neighbourhood Plan Steering Group (NPSG)



‘The future success of our town depends on an understanding of the delicate balance between many competing factors’

Extract from the Plan Vision

| Contents | Page Number |
|---|--------------------|
| Foreword | 1 |
| Contents | 3 |
| List of Maps | 4 |
| 1. Introduction and vision for Dartmouth Parish | 5 |
| 2. Key themes, priorities and objectives | 9 |
| 3. Why we need a Neighbourhood Plan? | 12 |
| 4. How the Plan has been prepared | 15 |
| 5. About the town and parish of Dartmouth | 20 |
| 6. Proposed policies for the Plan | 40 |
| • Green Environment | 40 |
| • Economy and Jobs | 57 |
| • Sustainable Transport, Infrastructure and Connectivity | 64 |
| • Town Environment | 70 |
| • Housing and Homes | 82 |
| • Health and Wellbeing | 91 |
| 7. A sustainable and deliverable plan | 103 |
| 8. What happens next? | 105 |
| 9. List of acronyms and glossary | 106 |
| 10. Appendices and supporting evidence | 107 |

List of Maps

1. Neighbourhood Plan Area
2. Landscape Character Types
3. Extent of South Devon AONB
4. Dartmouth Conservation Area
5. South Devon Heritage Coast Policy Area
6. Undeveloped Coast Policy Area
7. The Green Matrix of Dartmouth
8. Local Green Spaces
9. Locally Important Views
10. Flood Risk Areas
11. Settlement Boundary
12. Primary and Secondary Shopping Areas
13. Existing and proposed pedestrian rights of way
14. Area safeguarded for Coach Parking
15. Non-Designated Heritage Assets
16. Civic Spaces
17. Former Hospital and Zion Place Health Centre
18. Area for Emergency and Community Services
19. New slipway in the vicinity of the Higher Ferry
20. Dartmouth Academy

1. Introduction and a vision for Dartmouth Parish

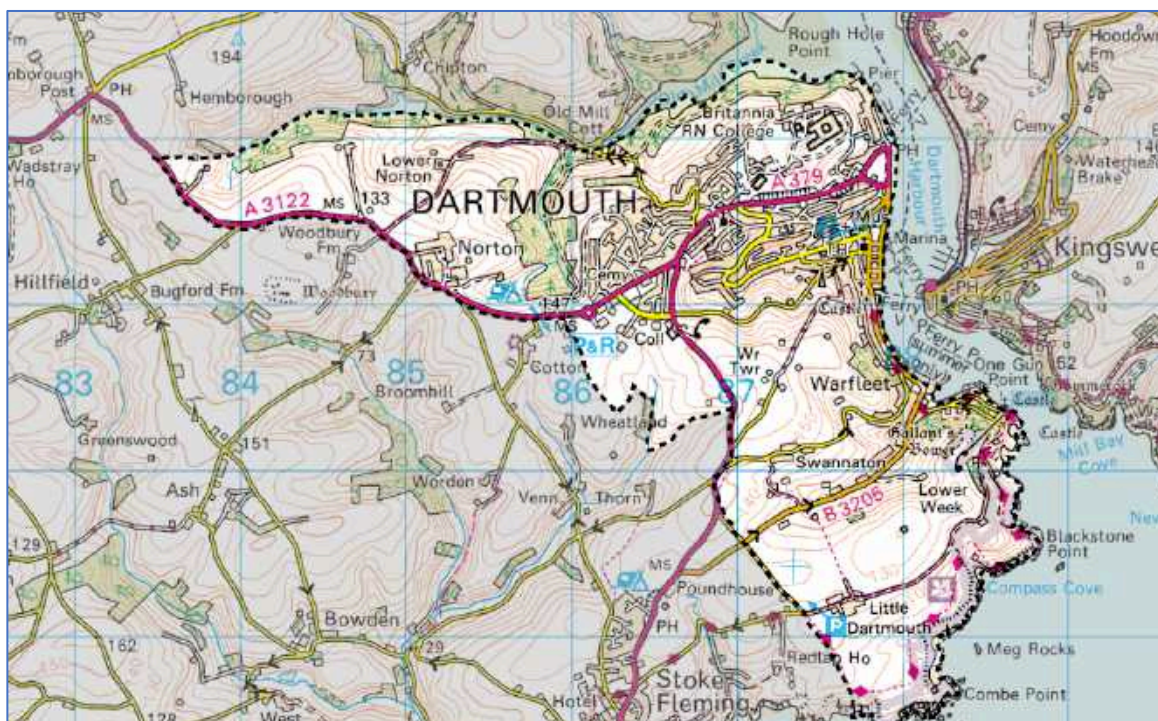
1.1 Dartmouth is a beautiful coastal town situated at the mouth of the River Dart. It is rich in heritage, maritime history and much of the parish lies within the South Devon Area of Outstanding Natural Beauty (AONB) – one of Britain’s finest protected landscapes loved for its rugged cliffs, estuaries, inspiring coastal foot paths, coves, rolling hills and peaceful countryside. This community has been forged through links to the sea, stretching back to the Middle Ages. The town and parish have evolved, into the 21st Century with the local economy diversifying, most notably, into a major UK tourism destination motivated by the town’s heritage, vibrancy, idyllic coastal and river landscape.

1.2 The economic circumstances of Dartmouth residents vary considerably across the Parish. Although large parts of the plan area are the least deprived areas in England, Townstal falls within 30% of the **most** deprived areas (28% 2019, 24% 2015) and the Indices of Multiple Deprivation (IMD) scores lowest in income deprivation (19%) employment (15%) and health (19%). There are signs that the level of deprivation in Townstal is reducing but it remains a concern and the policies of this plan seek to address these inequalities.

1.3 The experience from the Covid Pandemic has exposed the town’s dependence on tourism as an economic driver, the shortage of affordable housing, notably for key workers and the need to be more economically sustainable long term, attracting and retaining more types of businesses and creating a more diverse economic structure.

1.4 This Plan has been prepared and led by Dartmouth residents. Feedback from local residents, landowners, statutory consultees has been sought and acted upon in the final version. The whole parish of Dartmouth was formally designated as a Neighbourhood Plan Area through an application made on 5th September 2014 under the Neighbourhood Planning Regulations 2012 (Part 2) and approved by South Hams District Council (SHDC) on 11th December 2014.

1.5 The area covered by the Plan is Dartmouth parish and illustrated in Map1. The Plan will run until 2034, in parallel with the adopted Plymouth and South West Devon Joint Local Plan (JLP) or the Development Plan. Once adopted the Plan will join the JLP as part of the Development Plan



Map 1 Dartmouth Neighbourhood Plan Area

1.6 A considerable body of evidence has been sourced and collated during the production of the Plan. The background data on which the Plan is based is included in the Appendices.

1.7 This document is the Referendum version of the Plan. The earlier version was sent to an independent Examiner to review, it was considered sound subject to amendments and can now go to a referendum. Those living within the designated Parish of Dartmouth and on the electoral role now get the opportunity to vote for whether or not the Plan should be adopted. If successful at the local referendum the Plan will then form part of the Development Plan of the South Hams alongside the Joint Local Plan. This statutory status as part of the Development Plan gives a Neighbourhood Development Plan far more weight than some other community planning documents, such as parish plans, community plans and village design statements. As a formal planning document, it can be used in determining planning applications.

1.8 A Formal 'Consultation Statement' and 'Basic Conditions Statement' was submitted to SHDC and thence to the Examiner alongside this Plan.

1.9 SHDC also carried out a Strategic Environmental Assessment (SEA) and Habitat Regulations Assessment (HRA) screening on the Plan.

1.10 A Vision for Dartmouth

1.10.1 During the Neighbourhood Planning Process the Steering Group drafted a vision for the Parish and Plan; this was posted on the Plan website and refined through a facilitated event. The following version was subsequently adopted.

Dartmouth towards 2034 – Planning our future

With its exceptional setting between dramatic coastline and countryside in an area of outstanding natural beauty, it is no surprise that historic Dartmouth with its naval traditions is so loved by residents and visitors alike. The future success of our town depends on an understanding of the delicate balance between many competing factors. We identify these factors, and endeavour to sustain and nourish those elements that will enable Dartmouth to thrive for future generations.

The beauty and appeal of our town cannot be taken for granted. With only limited space available, increasing demands for development must be balanced by the need to enhance our environment and protect our heritage. We wish to conserve our matrix of green spaces, vital for the wellbeing of wildlife and people, young and old alike. A healthy community is a cohesive one. We identify opportunities for housing, employment and recreation. These, combined with more efficient and sustainable transport, good communications, excellent schools, and health and social facilities that cater for all needs, will help all members of our community. And we will encourage biodiversity and effective protection against coastal erosion and flooding from climate change. New technological advancements will offer new and exciting opportunities to improve our lives; we intend to embrace them.

Careful planning, done for the benefit of all, will enhance our town so that our healthy and vibrant community can continue to grow and flourish.

1.11 Assumptions and constraints

In developing this vision, some working assumptions must be stated.

- The historic town centre by the river is spatially constrained. Identifying suitable and deliverable areas for future development is part of the Neighbourhood Planning process.
- A majority of the DNP is contained within the South Devon AONB. All development must also be aligned to AONB policies for conserving and enhancing this exceptional landscape.
- The Dartmouth Conservation area, Heritage Coast and Undeveloped Coast should be significant considerations in the Plan.
- Any actions to develop the town's built environment or manage the surrounding natural environment must meet the criteria of sustainability and protection of biodiversity.
- The town's resilience in the face of rising sea levels and the increased frequency of severe weather events must be addressed in the period covered by the DNP.

1.12 A key part of the plan process was to set up topic groups reporting to the Steering Group to address the interrelated social, economic and environmental issues to be covered by the plan;

- Our Economy
- Infrastructure
- Our Green Environment
- The Town Environment

Each topic group's work focused primarily on the use and development of land and the associated planning issues. The inter-relatedness of the topics made liaison between the topic groups essential. The work of the topic groups is summarised in topic papers that have informed the Plan and policies and included in Appendix B.

1.13 The Plan has been developed following extensive engagement with the community. Since 2015 the engagement process has identified issues, policy options and sought feedback on the emerging plan. Activities have included:

- Public exhibitions and drop-in events
- Press coverage
- A dedicated website
- Face-to-face sessions with local organisations
- Questionnaires and community surveys distributed to all households and students
- Coordination and update meetings with the Town Council

2.0 Key themes, priorities and objectives

2.1 In this section we describe the themes that underpin the vision and policies of the plan. These have been taken directly from the responses to community surveys and developed by the steering group and its topic groups in consultation with the Town Council.

2.2 To summarise the issues facing the parish the following Strengths, Weaknesses, Opportunities and Threats (SWOT) assessment was developed at a workshop with the Steering Group and was regularly reviewed and updated through the production of the plan.

| Strengths | Weaknesses |
|--|--|
| <ul style="list-style-type: none"> • 63% Parish within the AONB • Coastal location • Estuary • Surrounding countryside and natural environment • Locally distinctive and iconic views • Historic environment with many heritage assets • Distinctive urban and natural character • Locally distinctive vernacular architecture • Marine/naval heritage • Network of green spaces • Full statutory 3-16 yr. schooling provision in Parish • Active community all year round • High level of community led activities • Diverse cultural activity with many participants • Many festivals (food, music, heritage, culture) • Established and loyal tourism industry • Active sports clubs • High number of independent traders • Town has one principal centre although this is changing • The presence of the Naval College(BRNC) in the town | <ul style="list-style-type: none"> • Ageing population • 37% outside the AONB,(leaving it vulnerable to more change) • Shortage of affordable housing • Holiday short term letting undermines long term rental market and community life • No coordinated development /growth strategy • Poor traffic environment • Lack of economic/employment opportunities • No sixth form in the Parish • Lack of a clear settlement/ growth strategy • Poor connectivity with district and region, especially out of hours • 'End of the line' • Lack of investment in infrastructure • No clear car parking strategy • Reliance on seasonal working • Low level of good year round employment • Footpath network in poor condition • Public realm requires improvement • Lack of bus shelters • Inappropriate design • High levels of light pollution • Planning and AONB policy not enforced |
| Opportunities | Threats |
| <ul style="list-style-type: none"> • Affordable Housing • Encourage more permanent residents • More local employment , business and job opportunities • Controls on second homes • Protect green spaces and link together • Improve biodiversity • Adapt to and mitigate against climate change • Community (not developer) led change • Improve cohesion across the community • Making better use of brownfield land • Improve appearance and quality of industrial estates • Improve transport infrastructure • Support for marine businesses and activity • Infrastructure and services for changes in work patterns and home working • Remove barriers to business • Strengthen design quality • Reinforce the AONB design guidance • Better use of materials • More holistic 'blue skies' approach • Accelerate improvements and change | <ul style="list-style-type: none"> • Loss of Green Infrastructure • Loss of the Naval College • Loss of primary and a secondary education • Flooding • Development and developer led change • No space and opportunities for long term attractive employment • Insufficient affordable housing • Insufficient training and career opportunities for young people • Lack of support from key stakeholders to future change • Poor fit between national legislation and the town (e.g. Permitted Development not always appropriate) • National economic challenges impacting long term on the town. |

2.3 Themes and Objectives

The themes and objectives tabled below are derived from the community consultation responses and developed by the topic groups and steering group. The objectives listed directly relate to the policies of the plan.

| Theme | Objective |
|-----------------------------------|---|
| Green Environment | <ul style="list-style-type: none"> • Achieve adaption and mitigation against climate change and carbon reduction • Protection of a matrix of green spaces, trees and links, through hedgerows, historic walls, green lanes and paths • Protect and expand the network of walks and cycleways • Safeguard water quality and the blue (water) environment • Prevention of upstream and downstream flooding and soil erosion • Protect and enhance the AONB and mitigate against inappropriate development • Safeguarding and enhancing biodiversity and the importance of Green Infrastructure and a green matrix. • Designation of Local Green Spaces • Maintain and enhance the landscape character, condition and quality of the river/estuary • Protect Locally Important views |
| Economy, Jobs and training | <ul style="list-style-type: none"> • Support sustainable employment growth commercially and individually • Enable upgrading and intensification of existing employment uses • Support and safeguard tourism related activity and infrastructure • Support new emerging start-up businesses • Support a green economy • Safeguard and enhance the town centre and local centre(s) for retail, tourism, hospitality and service sectors • Safeguard space for education and training • Support training and apprenticeships and links to FE and HE |
| Infrastructure | <ul style="list-style-type: none"> • Prevention of downstream flooding within the town through Green Infrastructure improvements • Review private car usage • Improved public transport infrastructure • Plan car and cycle charging hubs • Control of goods and delivery traffic with an out of town hub • New ferry (to Noss) • Support a Transport Study and emerging transport strategy including the preparation of a robust car parking strategy • Improve internet and broadband communications • Retention and improvement of public services e.g., toilets |

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| | |
|--|--|
| <p>Built and Town Environment</p> | <ul style="list-style-type: none"> • Designate a Settlement Boundary • Design quality and controlling inappropriate development • Protection and sympathetic enhancement of historic buildings and their setting • Design in sympathy with the historic environment, identifying and celebrating positive precedents including materials and styles • Prevent inappropriate subdivision of existing urban plots and gardens • Safeguarding heritage assets and listing local assets • Protection, expansion and enhancement of civic spaces, townscape and the conservation area • Prioritising Brownfield development first • Promote more employment land |
| <p>Housing and homes</p> | <ul style="list-style-type: none"> • Less priority given to market housing • Prioritising affordable housing for local people and ways to deliver this (e.g. exception sites) • Principal residence requirement controlling second homes • Additional homes for older people |
| <p>Health and Wellbeing</p> | <ul style="list-style-type: none"> • Potential to expand health facilities as population expands • Easy access to health facilities for the whole parish • Re-use of former NHS sites to include community uses • Safeguarding and improving community facilities • Improved social care facilities • Improved open space for active recreation • Improved access to the water for recreation |

3.0 Why we need a Neighbourhood Plan?

What is a Neighbourhood Plan?

A Neighbourhood Plan (officially called a Neighbourhood Development Plan) is a way of helping local communities like Dartmouth guide and influence the future development and growth of the area in which they live and work. Generally, proposals require the support of the owners of land affected.

3.1 A Neighbourhood Development Plan can....

- Develop a shared vision for our neighbourhood;
- Choose where new homes, shops, businesses and other development should be built;
- Identify and protect important local green spaces;
- Influence what new buildings should look like;
- Promote more development than is set out in the Joint Local Plan (or Development Plan);
- Enhance the historic environment with heritage assets not previously recorded through their listing as Non-Designated Heritage Assets.

3.2 A Neighbourhood Development Plan cannot...

- Conflict with the strategic policies in the Joint Local Plan prepared by SHDC;
- Be used to prevent development that is included in the Joint Local Plan;
- Be prepared by a body other than a parish or town council or a neighbourhood forum.

Planning Context

3.3 Neighbourhood Plans are required to be in general conformity with the National Planning Policy Framework (NPPF) 2021 and the strategic policies of the Local Plan. The planning policies for the South Hams District are set out in the Joint Local Plan (JLP) for Plymouth and South West Devon. The JLP was adopted in March 2019.

3.4 The relevant sections of the adopted Supplementary Planning Document (SPD) to the JLP July 2020 are respected in the Plan. In addition the following previously adopted Development Plan which although they no longer have a planning status helped to inform this Plan;-

- South Hams Local Development Framework Core Strategy (2006)
- South Hams Rural Areas Site Allocations Development Plan Document (DPD) 2011
- ‘Saved’ policies from the South Hams Local Plan (1996)

3.5 The Neighbourhood Plan must also be in conformity with EU legislation extending beyond the 2020 transition period until such time as new legislation is introduced to withdraw or amend such legislation by the UK Government. Neighbourhood Planning supporters Locality advise that the EU requirements for strategic environmental assessment and habitat regulations (SEA and HRA) will continue to apply in the interim.

3.6 The Countryside and Rights of Way Act 2000 makes specific reference (s85) that Town and Parish Councils as public bodies must have regard to the statutory purpose of an AONB to conserve and enhance natural beauty. This obligation can be reinforced through their Neighbourhood Plans. The NPPF provides specific guidance for those preparing Neighbourhood Plans that include AONBs. This includes;-

- the presence of AONBs can restrict development in order to help achieve sustainable development;
- 'great weight' should be given to conserving and enhancing their landscape, natural and scenic beauty;
- AONBs have the highest status of protection in relation to landscape and scenic beauty, equal to National Parks;
- the conservation of wildlife and cultural heritage is important in AONBs;
- Major development in AONBs should be refused unless it meets specific special tests.

3.7 In 2020 a JLP Supplementary Planning Guidance document was adopted by South Hams, West Devon and Plymouth Councils. It gives guidance on implementation of policies in the JLP. It also comments on how implementation of the JLP can play a role in supporting Climate Emergency and Biodiversity Emergency and actions towards low carbon solutions and carbon neutrality.

3.8 The Thriving Towns and Villages (TTV) approach set out in the Development Plan (JLP) is focused on achieving sustainable development and rural sustainability for the Main Towns of which Dartmouth is one of four in the South Hams. Building self-sufficiency and resilience of the local employment market to meet local needs and attract new sectors and investment is seen as part of creating this strategic outcome, set out in Strategic Objective SO7, as is enhancing the links between the Main Towns and the surrounding countryside to support healthy communities. The highest levels of growth are targeted at the Main Towns, with a view to this enhancing their role as service centres as well as provide for their own growth. Specifically for Dartmouth the Development Plan sets out a spatial priority SP1 which is included below.

JLP (2019) Spatial priorities (SP1) for development in Dartmouth

The plan seeks to enhance the vibrancy and sustainability of Dartmouth. This will include:

1. Providing for mixed use development to help meet local housing need and increase employment opportunities to support the long term resilience of the town.
2. Maintaining and strengthening the town's traditional marine industry and recreational / leisure offer.
3. Recognising and enhancing the relationship with the surrounding AONB.
4. Conserving and enhancing the town's historic and maritime character.
5. Maintaining the existing retail offer, protecting the integrity of the town centre and enhancing its character.
6. Identify the opportunities to invest in enhanced connections between Dartmouth town centre and Townstal.
7. Identify opportunities to secure and enhance ferry links across the River Dart.
8. Ensuring appropriate infrastructure is delivered alongside new development.
9. Working with relevant authorities to look for appropriate solutions to manage traffic flow in and around the town.

3.9 Separately, the JLP sets out its approach to economic development which is supportive of new and existing businesses and greater rural economic resilience. Policy DEV15 sets out where support for rural economy proposals would be relevant, including maintaining/expanding existing employment sites, supporting home working/business start-ups and improving internet connectivity.

3.10 SHDC does not have a current district-wide economic policy although a Corporate Plan with a section on the economy is expected. Its most recent strategy publications relate to the Council's own assets and their management or use. SHDC has in 2020 taken steps to create a business engagement framework which would provide a structured approach to communication between the Council and local businesses on economic development issues, support their effective representation within the Local Enterprise Partnership, Team Devon and facilitate the development of sector specific projects and support of economic strategies.

4.0 How the plan was prepared

4.1 The idea to prepare a Neighbourhood Plan for Dartmouth was first put forward in 2014. With support from the community a steering group was formed, membership of the group has evolved, and the latest membership includes three representatives of the Town Council mostly dating from 2019. There have been a number of engagement events held to identify the issues, consider proposals and policies to be incorporated in the Plan. This Plan has only been possible with considerable volunteer support, with many local residents participating in meetings, steering groups and internet based discussions. Since 2020 a consultant was employed to help progress and finalise the Plan and supplement this volunteer effort.

4.2 Plan timeline

| Date | Key Activities |
|--------------------------------|--|
| September 2014 | 1 st meeting of the NP working Group and was restricted to Councillors. |
| October 2014 | 3 rd meeting was the first at which the public were invited |
| December 2014 | Neighbourhood Plan Area Designated |
| February 2015 | Open meeting with the Dartmouth and Kingswear Society |
| April 2016 | Community Questionnaire issued to all households in the Parish |
| July 2016 | Questionnaire responses received and collated |
| August 2016 to July 2017 | There were no further meetings during this period during which time the questionnaires were being analysed |
| July 2017 | Public meeting that reorganised the working group and re-focused the process |
| August to November 2017 | Themed Topic Group meetings held. |
| December 2017 to November 2018 | Limited progress by the Topic Groups |
| November 2018 | Dartmouth Town Council resolved not to pursue the plan |
| July 2019 | Dartmouth Town Council resolved to re-start the plan |
| September 2019 | New Steering Group and Topic Groups formed with support from the Town Council |
| Spring 2020 | New plan website launched |
| June-July 2020 | Leaflets promoting the plan and inviting feedback issued |
| August 2020 | Consultant appointed to support the Steering Group |
| October 2020 | Steering Group briefed the Town Council on the progress of the plan and findings of the Topic Groups |
| October to November 2020 | Topic Group Papers produced for each theme and form the basis of the Plan |
| December 2020 to February 2021 | Business survey carried out |
| February 2021 | First draft of plan presented to the NP Steering Group |
| March 2021 | First draft of plan issued to the Town Council and key stakeholders |
| June 2021 | Regulation 14 Pre-Submission Consultation Version of the Plan issued |
| July 2021 | Regulation 14 draft approved by the Town Council |
| August to September 2021 | Regulation 14 consultation |
| January 2022 | Regulation 15 approved by the Town Council |
| February 2022 | Regulation 15 submitted to SHDC |

4.3 Summary of the community engagement responses and surveys

4.3.1 In 2016 a survey was delivered to all households in the Parish, it set out to establish which subjects people felt were important to be addressed in developing the Plan. A total of 3646 surveys were sent out including 538 second homes and around 600 businesses. 562 individual responses were received which is a high rate of return for this type of survey. 54% of the respondents were over the age of 65, 37% between 45 and 64 and 9% under 44, there were no responses from people under the age of 24. A full record and summary of the community responses is included in Appendix K1. 78% of the respondents were either ‘very satisfied’ or ‘satisfied’ with Dartmouth, 12% were ‘neutral’ and 10% were either ‘dissatisfied’ or ‘very dissatisfied’. The community were asked what they liked or disliked about Dartmouth (responses are summarised in the earlier SWOT analysis). They were also asked what topics the plan should consider, and advice requested on any specific action, initiative or change they would like included. Set out below is a summary of the main areas that attracted comment. In brackets alongside the description of the theme is the number of specific points raised related to that subject concerned. The numbers include both comments and suggestions all of which have been considered by the Steering Group and the topic groups.

| Theme | Issue raised by the community |
|---|---|
| Parking (783) | <ul style="list-style-type: none"> Better parking Review restrictions More car parking Resident only parking scheme Employee parking scheme Improve park and ride and make more affordable Restrict/ control coach influx Area to replace Little Cotton Caravan Park Herringbone parking along the Embankment Comprehensive parking survey |
| Transport, traffic and Pedestrians (1247) | <ul style="list-style-type: none"> Better bus routes locally and to major towns and cities Less reliance on the car Community bus service (like Bob the Bus-Totnes) Better accessibility Pedestrianise parts of the town centre Reduce HGVs in town Speed control in Victoria Road Shared car and pedestrian access in town centre Better link between steam railway and national network Electric vehicles Use more technology to control, traffic, parking. A pavement along Victoria Road up to College Way More cycle friendly |
| Second Homes/Affordable Housing/ Development (507) | <ul style="list-style-type: none"> More affordable housing for local people Restrictions on second homes Better integration between Townstal and the historic town Restrictions on holiday lettings Better design quality on the river side Housing to rent, not to buy More social care and homes for older people |
| Economy, Employment and Tourism (1078) | <ul style="list-style-type: none"> Safeguard independent businesses Improve facilities for tourists and extend the season |

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| | |
|---|--|
| | <p>Business support for local people Affordable business premises Attract new businesses especially high tech. Better promotion of the town as a tourism destination Faster broadband and more internet based services BRNC play a more active role in the town Cruise ships help the economy</p> |
| Shops , town centre and heritage (1046) | <p>Diverse range of shops Raise the urban quality Keep the town's individuality and character Better signage More convenience shopping Repair and re-cycling café More seats on the riverside, others say fewer in Bayards Cove The Tourist Information Centre is crucial for the town Better public spaces by the Boat Float and improve appearance Regenerate Castle Estate More places to perform music Upgrade the market Fewer art shops Limit development to 3 stories Move Travis Perkins and introduce affordable housing Control development in the conservation area</p> |
| Healthcare, Hospital, Social Care ,Health and wellbeing (1240) | <p>Dartmouth hospital Another doctor's surgery Re-provide hospital services New health and wellbeing centre A and E needed More facilities in the leisure centre More night classes Better support for the school Expand ambulance service Keep open air pool More formal sports up by the swimming pool</p> |
| Natural Environment Open spaces, and waterside.(910) | <p>Conservation of green spaces More energy conservation and eco housing Develop and improve Coronation Park (underground car park) Do not build on Coronation Park No development in the AONB Move bowling green (to Coronation Park) Stop building on good farmland Less light pollution, turn off streetlights earlier Protect the community Orchard Better facilities for boating/rowing Access to the water for all River and beach cleans</p> |
| Education (397) | <p>Training support Education and training during low season Language school</p> |
| Rubbish/Seagulls/dog mess etc (51) | <p>Better recycling (continental style underground) Dog mess Clean up the town Seagulls Control anti-social behaviour</p> |
| | |

| | |
|----------------------------|---|
| Miscellaneous (143) | <p>Not a summer town only A town of two halves Close liaison between the BRNC and the town Free public toilets Consider all generations young and old Stop in-fighting Integrated joined up community leadership Criticisms of the District Council More transparency in project development More police presence in the evenings Why have a Neighbourhood Plan-do we want change? Review the MCTI recommendations Development of Jawbones Celebrate and acknowledge the number of voluntary groups Enhance the Undercliffe</p> |
|----------------------------|---|

4.3.2 The Neighbourhood Plan website has run a community feedback page since July 2020 This media which was promoted online and through leaflet distribution has identified a number of issues that informed the plan and is summarised in the following table:

| Theme | Comment |
|---------------------------------|--|
| Natural Environment | <p>Address the risk of flooding in Lower Town Mitigate against air and water pollution Protect and maintain green spaces Support biodiversity Address climate change and reduce carbon Safeguard and improve Extensions to Public Rights of Way Countryside at risk Green Economy More local food production Promote Community and individual Renewable Energy Improve access to Sandquay Woods and other open spaces Nomination of Local Green Space including Coronation Park, Jawbones Beacon Park ,Warfleet Creek, Sugary Green (leading down to. Sugary Cove) and Crosby Meadow Online petition of over 1600 people supporting Manor Gardens as Local Green Space.</p> |
| Economy | <p>Support small and start-up businesses Support edge of town employment space See separate business survey below</p> |
| Transport Infrastructure | <p>Secure underground parking in the town Residents parking scheme (some objections) Electric/ smart vehicles/buses/taxis/ferries Electric charging points in car parks Park, Walk and Ride Improve access to the coast path and countryside Complete footpath to Stoke Fleming Sustainable, frequent transport link from Park and Ride to town\ More local re-cycling Low energy streetlights/ control light pollution</p> |
| Town Environment | <p>Preservation of the Historic Environment Expand the museum Improve the shopping experience More pedestrian friendly and pedestrianisation</p> |

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| | |
|---------------------------------------|--|
| | <p>More outside dining</p> <p>Town information service hub linking services of the Dartmouth Visitor Centre (DVC) and library.</p> <p>Safeguard existing stone walls throughout the town</p> <p>Convert empty retail to housing</p> <p>Nomination of Local Heritage Assets including the DVC, Newcomen Engine, Piscatorie Statue, Crowthers Hill, Helicopter Control Tower and Water Tower</p> |
| Housing | Affordable and Eco-friendly housing for local people |
| Health Wellbeing and Education | <p>Training support</p> <p>Townstal community hall needs more support and funding</p> |
| Other issues | <p>A sense of community</p> <p>Better cohesion between the top and bottom of town</p> <p>Comments on the Planning White Paper (2020)</p> <p>Natural burial ground/ pet cemetery</p> |

4.3.3 The Plan has sought to engage with the local businesses as well as resident communities. There were extensive consultations with the local community in 2016. The Plan has also been able to benefit from a number of other surveys and studies initiated by others including the Development Plan. Since 2020, the key focus has been on the needs of existing businesses. To identify the most current concerns and opportunities, between late 2020 and early 2021 the group invited local businesses to complete a comprehensive survey. The full responses are included in Appendix K2 with a summary below;

- There were 41 responses, 32% categorised themselves leisure related and 27% hospitality;
- 46% of businesses considered themselves to be tourism focussed;
- 90% were local independent businesses;
- 70% of staff employed live in Dartmouth;
- Of those staff who commute 79% travel to work by car;
- The lack of affordable housing has a major impact to many recruiting and retaining staff;
- The lack of car parking and broadband speed are other factors holding back businesses;
- Shortage of access to appropriate training is an issue to many;
- Key factors affecting businesses locating in Dartmouth are the town's special qualities, access to a tourism economy and the lifestyle offered.

4.4 Inclusion, Diversity and Equality

The Steering Group has been keen to seek broad and inclusive representation from the community in the production of the Plan. Care has been taken throughout the preparation of this plan and the consultation process to engage as many members of the community as possible; these include residents, second homeowners, landowners, businesses, employees, and special interest groups. The Steering Group has been keen to obtain a broad perspective on equality and diversity matters and has endeavoured not to discriminate on grounds of race, gender, and disability or on any other grounds. All venues for events held were fully accessible. The consultation process has been adapted during the Covid pandemic relying predominantly on video conferencing however this has not compromised the measures to avoid discrimination.

5. About the town and parish of Dartmouth– key facts, background, history and challenges for the future.

5.1 A Brief History of Dartmouth sourced from Dartmouth Conservation Area Appraisal (2013 South Hams District Council) and Wikipedia.

5.1.1 Dartmouth has a rich history as a port and commercial centre, and whilst attempts have been made to document the development of the town, there is limited referenced information available from which to draw an accurate picture of how this history influenced the physical growth of the town.¹ The earliest settlement of what is now the town of Dartmouth was on the flatter land at the top of the hill at Townstal, about a mile west of the shore. It is thought that the Normans were the first to appreciate fully the fine natural harbour of Dartmouth, placed so conveniently opposite the Channel Islands and Normandy, and it seems likely that they brought over Frenchmen to build houses and port facilities. The names of the tenants in the earliest deeds of the town were French, not English.

5.1.2 During the Middle Ages to either side of the Creek, at the foot of the two spurs dropping from Townstal Hill to the river, two small fishing hamlets grew. The two hamlets were physically separated by a large inlet (known as the Mill Pool) running along the line of North Ford Road and South Ford Road. The northern hamlet was known as Hardness and the southern one Clifton. The first houses were built along the steep slopes above the high tide line. Development was restricted by the lack of suitable land and the difficulty of access down the steep routes to the water's edge. At this time, water was the predominant mode of transport. The history of the physical growth of the town is reflected in the changes in the quay frontage. Changes began in the 13th C with the damming of the inlet between Hardness and Clifton-Dartmouth, thus harnessing the tide to run a mill. Over subsequent centuries, especially the 19th, large quantities of land were reclaimed from the river to build a port that was accessible from the land. Land reclamation continued into the 20th C, the quay gradually expanding and widening to meet the changing development requirements of the town and to prevent flooding.

5.1.3 Between the 12th and 14th C Dartmouth was a commercial and military port, linked with Henry I's acquisition of the South West provinces of France and the wine trade. A fleet of more than 150 ships carrying around 13,000 troops departed from Warfleet Creek in May 1147, ready for the Second Crusade. Warfleet Creek proved its worth again in April 1190, when Richard the Lionheart sent his fleet of 30-40 warships from Dartmouth to join the Third Crusade. Due to its prominent position at the mouth of the River Dart, sea defences are a distinctive feature of the shore-line and are thought to date back to the late 15th C. The Town has seen many periods of growth; the Newfoundland fishing trade and the renewed growth of the cloth trade fuelled expansion from the late 16th to mid 17th C. Buildings such as the Butterwalk and those along the Quay, date from this time (most now with later frontages).

¹ Historical Information has drawn largely from R Freeman, 'Dartmouth and its Neighbours', (London: Phillimore,) 1990 republished in 2007 with additional material by Richard Webb, Publisher, Dartmouth.
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The port was naturally of great significance during the Civil War. The Royalist forces captured the town in 1643 and considerably strengthened the defences, but nevertheless the port finally capitulated to the Parliamentarians in 1646.

5.1.4 The building of the Embankment left a section of river isolated between Spithead and the New Ground, known as The Boatfloat, and is linked to the river by a bridge for small vessels under the road. The coming of steam ships led to Dartmouth being used as a bunkering port, with coal being brought in by ship or train. Coal lumpers were members of gangs, who competed to bunker the ships by racing to be first to a ship. This led to the men living as close as possible to the river, and their tenements became grossly overcrowded, with the families living in slum conditions, with up to 15 families in one house, one family to a room. The area to the north of Ridge Hill was a shallow and muddy bay ("Coombe Mud") with a narrow road running along the shore linking with the Higher Ferry. The mud was a dumping ground for vessels, including a submarine. The reclamation was completed in 1937 by the extension of the Embankment and the reclamation of the mud behind it, which became Coronation Park.

5.1.5 In the 1920s, aided by government grants, the council made a start on clearing the slums. This was aided by the decline in the use of coal as a fuel for ships. The slums were demolished, and the inhabitants were rehoused in new houses in the Britannia Avenue area, to the west of the old village or hamlet of Townstal. The process was interrupted by the Second World War but was resumed with the construction of prefabs and later more houses. Community facilities were minimal at first, but a central area was reserved for a church, which was used by the Baptists and opened in 1954, together with a speedway track. The latter was later used for housing, but a new community centre was opened nearby, together with a leisure centre, an outdoor swimming pool, and later an indoor pool, and supermarkets, light industrial units were also constructed. Between 1985 and 1990 the Embankment was widened by 6 metres and raised to prevent flooding at spring tides. A tidal lock gate was provided at the Boatfloat bridge, which could be closed at such times.

5.1.6 All the above historical developments left an impression on the town. The former settlement of Hardness was associated with the ship building industry, and wealth generated by the town's merchants was often invested in buildings. Merchant houses survive today in several streets, including Duke Street, Anzac Street, and Fairfax Place. The Street layout and land reclamation projects were a product of the changing trading requirements of the port. Historically, access to the town was by sea, resulting in narrow streets, which were not designed for vehicles. Ease of access through the town relied upon the series of vertical paths that connect the layers of buildings vertically, in contrast to the horizontal streets that follow the contours. Freight from the hinterland was brought to the town by pack-horse, resulting in steeply stepped, narrow roads between houses that were tightly packed to use the small amount of building land available.

5.1.7 The influence of the military on Dartmouth is considerable. From the 16th C artillery fort at Bayard's Cove Castle through to the Britannia Royal Naval College, the impact of the military can be seen in many places. To the south of the town (and outside the conservation area), the 14th C Dartmouth Castle was later refortified by Henry VIII, whilst the Gallants Bower earthworks above this were constructed by Royalists in 1645 during the English Civil War.

Evidence for military remains from these periods may also be found in the town. As a harbour and embarkation point, as well as a defended settlement, the town has been used by the military for centuries. Dartmouth has been an important defended site and an important location for artillery. From the medieval period, through the Tudor, Civil War, Victorian and World War II periods, evidence of coastal artillery may still be found. The Embankments were built out with ramps during World War II, and together with the slipway at the Higher Ferry, enabled vehicles to board US landing ships prior to and during the D-Day campaign. Opposite Dartmouth, Kingswear has medieval castles at Gommerock (little now remains of this) and Kingswear Castle, as well as more modern military fortifications such as the Torpedo battery built in 1940.

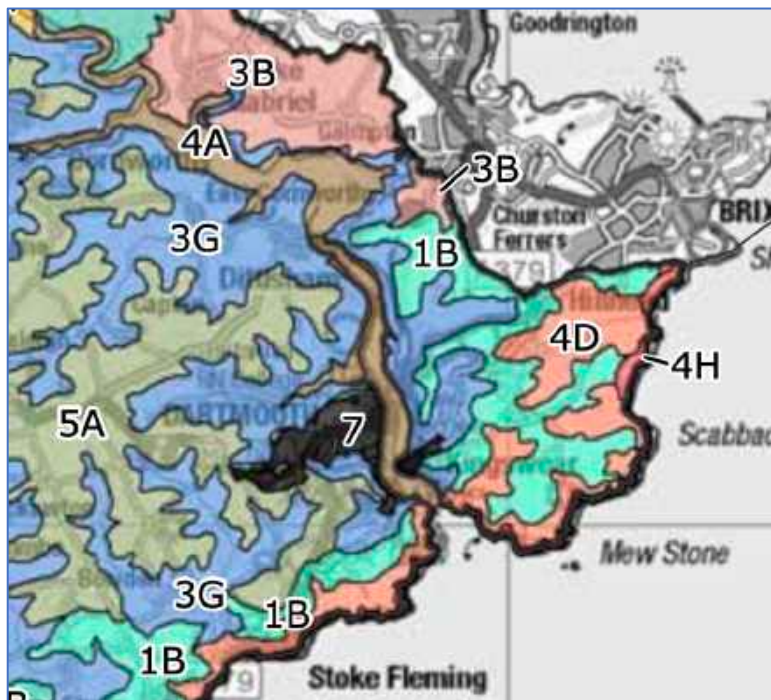
5.1.8 The Royal National Lifeboat Institution (RNLI) opened a lifeboat station at the Sand Quay in 1878, but it was closed in 1896 during this time only one effective rescue was made. An inshore lifeboat station was opened in 2007 after being closed for 111 years operating a D class boat and in 2020 a larger B class was installed afloat off the Low Water Landings. The station is of strategic importance for the safety of recreational and commercial craft.

5.1.9 Paintings and photographic records show Dartmouth Quay to have been a busy place in the past. Today, the activity is still present in the form of tourists and yachts attracted by the sheltered location, the charm of the town and good sailing.

5.2 The green environment

5.2.1 This plan presents an opportunity at a pivotal moment, when we can collectively consider the importance of our green environment, assess the risks to it and decide what action to take to protect ourselves, the town and our environment. Clearly, a collaborative approach must be taken, locally, regionally, nationally and internationally. The climate is not restricted by parish boundaries; carbon emissions and pollution produced by one area affects another. Issues of climate change and diminished biodiversity are interlinked; it is in everyone's interest to follow recommended strategies, led by science and environmental experts, in order to tackle both simultaneously.

5.2.2 The landscape character of the Parish



Map 2 South Hams Landscape Character types (LCT) for the area² The LCTs for the plan area are illustrated in greater detail in Map 2 included in the Appendix and evidence base.

Few towns can offer the returning resident or visitor more dramatic setting for a town as Dartmouth which has been moulded by the natural environment. Approaching from the sea the Undeveloped Coast within the South Devon Heritage coastline stretches westwards to Warren Point and cove, and the cliffs (South Hams Landscape Character Type 4H) and open coastal plateau landscape (LCT 1B) carry the South West Coastal Path, a national trail along a landscape designated as County Wildlife Sites (CWS) from Redlap in the west to the Dart estuary within the town. The agricultural land behind this protected fringe is a hot spot for the cirl bunting, an endangered species. Closer to the mouth of the Dart estuary Coastal Slopes and Combes (LCT 4D), covered in broadleaf woodland encircle the historic collection of castles protecting the harbour entrance. The heritage coast continues into the estuary (LCT 4A), past Gallants Bower, another CWS and to the parish boundary within Old Mill Creek, itself a CWS. The landscape is broken by River Valley Slopes and Combes (LCT 3G) entering the river Dart at Warfleet and Old Mill Creek. Once within the bight the vista broadens to include the townscape and the historic buildings of the Britannia Royal Naval College (BRNC). At this point the views enjoyed by the seafarers open to those approaching Dartmouth by the 3 ferries crossing the Dart from Kingswear. The charm of the Historic town (LCT 7) is augmented by the encircling woodland and agricultural land to the South and West and to the North by the open green spaces surrounding the BRNC, creating a natural amphitheatre within which the town nestles, a feature recognised as important in the Development Plan Supplementary Planning

² Landscape Character Assessment for South Hams and West Devon Feb 2017- LUC

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Guidance (New Work in Conservation Areas – SPG notes 2001). Much of the present town lies on land reclaimed during the 16th to the 19th century, and at low water remnants of the original mud flats are evident at Bayards Cove, which would still be recognisable to the Pilgrim Fathers who left from here to settle in America 400 years ago, and along the North embankment and extensively within Old Mill Creek.

5.2.3 South Devon AONB

All of the Parish land visible from the sea and river, including the Heritage Coast and land within the river Dart from the HW mark to the skyline, lies within the South Devon AONB (map 1). Indeed, almost two thirds (63%) of the Parish lies within the South Devon AONB. The landscape character policies of the current South Devon AONB Management Plan (Appendix L2) clearly define the special qualities to be respected if development is considered in settlements like Dartmouth within the AONB including:-

- Maintaining and enhancing the levels of tranquility to further ensure this special quality is not further devalued, Policy Lan/P4;
- The importance of the existing skyline and need to protect this against the visual intrusion of insensitive buildings and infrastructure, Lan/P5;
- Protecting long uninterrupted views of the open undeveloped seascape, Lan/P6;
- Help maintain the rural quality and character and the overall setting of the AONB Lan/P7.

5.2.4 Locally Important Views

There are a number of views across Dartmouth viewed from public land and routes that are considered by the community as locally important. The views to the settlements, River Dart, natural and historic features should be safeguarded and respected in all future development within the Plan area. The views identified help define the landscape character of the AONB as outlined in the latest AONB Management Plan (Policy Lan/P6)

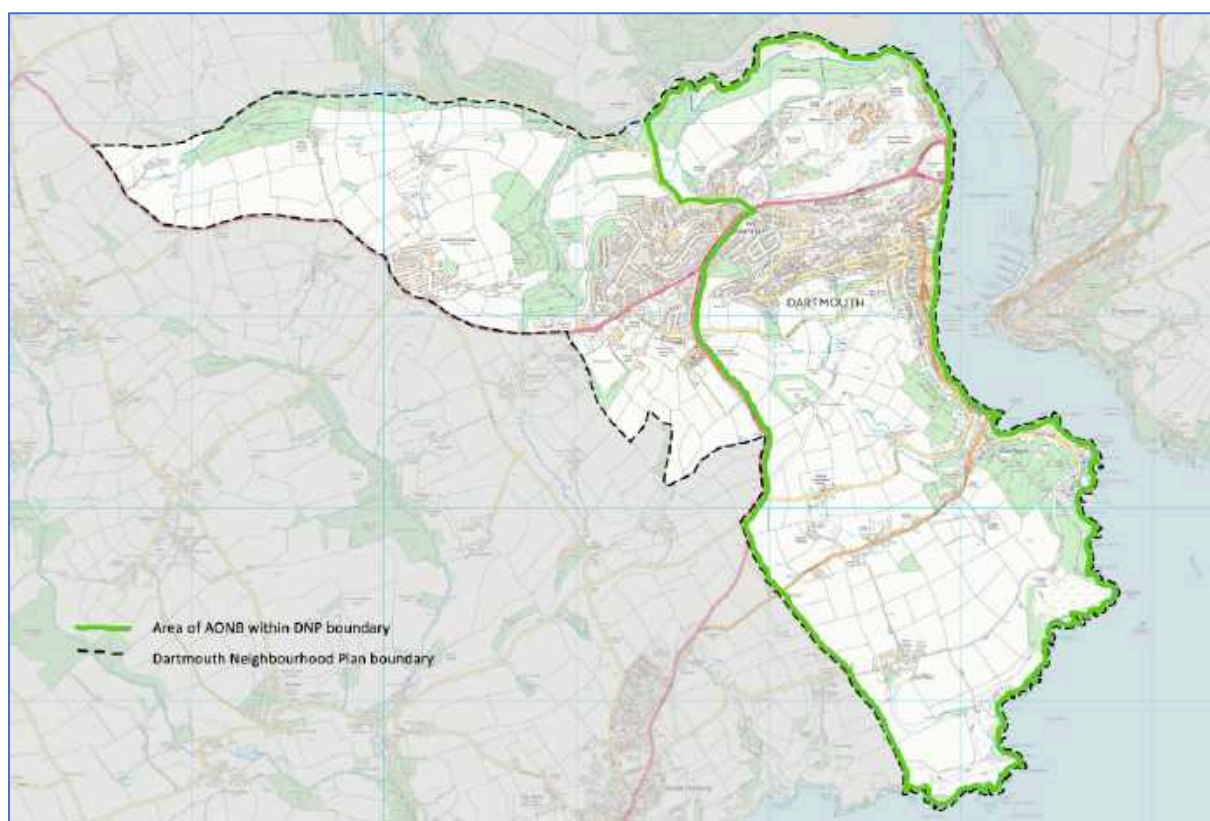


Locally Important View V47 from Yorke Road

5.2.5 Undeveloped Coast and Heritage Coast

Development Plan (JLP) policy DEV 24 is the starting point for ensuring that development does not have a detrimental effect on the Undeveloped Coast and Heritage Coast designations in the Plan area. In their guidance ³ the Devon Landscape Policy Group set out a series of principles to help maintain the character of Devon's Undeveloped Coast (DUC)- refer to Map 6. They stated that the DUC '*should be treated as a designation and be defined on policy maps within Local, Neighbourhood and Marine Plans*', and that the DUC '*should be regarded as a finite resource for the enjoyment of everyone now and in the future. Local, Neighbourhood and Marine Plans should therefore include strongly-worded planning policies that establish a presumption against development within or affecting Devon's Undeveloped Coast unless it can be successfully demonstrated that it satisfies all of the following criteria; -*

- *Maintain the intrinsic character of the landscapes affected:*
- *Protect and enhance valued landscapes affected, giving great weight to conserving landscape and scenic beauty in National Parks, AONBs and Devon's Heritage Coasts;*
- *Cannot be accommodated reasonably outside the undeveloped coast; and*
- *Take opportunities available, where reasonable, for improving public access to and enjoyment of the coast.'*



Map 3 Extent of the South Devon AONB designation within the Parish

³ Devon Landscape Policy Group Guidance note 3 November 2013

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The coastline of the parish forms part of the South Devon Heritage Coast defined by Natural England (see Map 5). There is no statutory designation process for this. Natural England defines the national purpose of Heritage Coasts as including the conservation of their natural beauty, their marine flora and fauna and their heritage features. This plan sets out to retain the character of the undeveloped coast, protecting and enhancing its distinctive landscapes, particularly in areas defined as Heritage Coast.

5.2.6 Wildlife, Biodiversity and a Green Matrix

The area covered by Dartmouth's Neighbourhood Plan - next to the sea and along a large estuary with a backdrop of hills cut through by small coombes - ensures that it has a diverse flora and fauna. The mix of urban, rural, and maritime environments provides habitat for a range of resident species and its position on the south coast makes the area important for migratory species moving between mainland Europe and the British Isles and points further afield. The seven landscape character types and sub-types found in the plan area reflect its underlying geology. Different sorts of habitat occur within each type of landscape, creating a complex, green matrix in which plants and animals establish themselves, and through which they spread or move. The core areas of a matrix include such habitats as woodland and grassland, but also urban parks and gardens. Some may enjoy legal protection and require particular types of management. However, the routes through the matrix are also of principal concern and may not enjoy the same level of protection. They may be more or less permeable, either helping or hindering movement according to the particular capabilities of a species. The connectivity within a matrix may be structural (i.e. core areas of habitat physically linked, for example, by hedgerows, banks or streams, so that species can pass along them) or functional (i.e. permeable areas that species can pass through to get from one habitat to another, for example, open fields or urban gardens). This connectivity mitigates habitat fragmentation which is a contributory cause of loss in biodiversity. It should be noted that the Plan area is within the Greater Horseshoe Bat sustenance zone for the South Hams SAC, and the Plan takes this into consideration. A description of the Dartmouth green matrix with core sites of high biodiversity value and their principal means of connection is contained in Appendix E1 and illustrated in Map 7.

5.2.7 Open Space

As long ago as 2004 The Dartmouth Community Plan for the Market and Coastal Towns initiative (MCTi)⁴ had as one of its objectives the protection and enhancement of the "*natural environment of the area*". More recently the survey undertaken in 2016 confirmed the priority given to "*Green spaces and Nature*" by the Dartmouth community. This topic was the 4th highest in importance amongst the topics identified in the survey. Whilst Dartmouth has been considered to have an adequate network of open spaces which provide such cover there is a recognised deficiency in the provision of 2ha sites within 300m within Dartmouth (South Hams Green Infrastructure Framework 2015). In addition, growing concerns regarding obesity in adults and children have added emphasis to this provision such that all present facilities merit protection and opportunities to enhance provision should be sought (South Hams District Council, Open Space, Sport and Recreation (OSSR) Study 2017). Whilst the Cotton development lies outside the Parish its road access, public transport and geographical location

⁴ MCTi 2004 Dartmouth Final Report included as Appendix M1

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will cause the population residing there to look to Dartmouth for its recreational and sporting needs. An inventory of the existing open spaces network is included in the Appendices as Green space, environment and community Table 1 and in Map 7 below.

5.2.8 Climate Change Mitigation

The environmental policies of this Plan support the principle of adopting nature-based solutions to address climate change. Safeguarding and restoring biodiversity, restoration of habitats, supporting local food production, flood risk reduction, promoting a green economy and reinforcing the green infrastructure network of the Parish will all provide essential benefits to local people. In July 2019, SHDC declared a Climate Change and Biodiversity Emergency, recognising that urgent action needs to be taken to reduce carbon emissions and protect ecosystems and wildlife. Many Dartmouth residents and businesses have good reason to be concerned about the effects of climate change, especially young people who will inherit this issue. From the start of the plan period there has been a sharp increase in the frequency and severity of extreme weather events over previous years; including gales, snow, prolonged heavy rainfall, and drought. Most people who live or work in the plan area have been affected by these accelerating climatic changes; by work days lost, reduction of tourist visits to the town, schools, shops and business closures, damage to garden structures, trees and roofs, road closures or diversions, damage to farm crops, or distressed livestock. The higher areas of the town including the residential area of Townstal, are exposed to more storms and gales from all directions; these are increasing in strength and frequency and reaching 60-80 mph. The lower town is more sheltered from the dominant north/east and prevailing westerly winds, they are more likely to be at risk of flooding and soil erosion due to rising river level, heavy rainfall, from 'urban runoff' through streets and the runoff from farmland on the hills. One of Dartmouth's three seaward coves, Compass Cove, is now closed due to a landslide. The River Dart's tidal waters are encroaching on town's embankment and adjacent properties. The river flooded 45 times between 2015-2020. By the end of the plan period, the river may already have risen significantly. DCC has set up various initiatives: Devon Climate Emergency Response Group, a Net-Zero Task Force which is deciding a realistic target for net zero emissions, using specialist knowledge to produce an evidence-led [Devon Carbon Plan](#). Another initiative, the [Climate Impacts Group](#) is using its collective knowledge to create a Devon Adaptation Plan. This will consider how Devon and its citizens can adapt to living in a warmer world, aiming to "create a resilient, net-zero carbon Devon - where people and nature thrive." It stresses: "Achieving this will require collaborative action from everyone across Devon".

5.3 Economy, Jobs and training

5.3.1 Dartmouth is a key service centre for South Hams providing shopping, primary education, employment, medical and professional services. There are limited employment opportunities in the surrounding rural area and the large proportion of current employment opportunities are further afield in Torbay, Totnes and, even, Exeter and Plymouth. A small number of people commute to London. Whilst there are limited opportunities to commute by non-car modes, inevitably, the majority of people working away from Dartmouth will travel to work by car. A key objective of the Plan is to ensure that the town's economy aims at being more sustainable. Central to this will be the creation of more high value, full time jobs which offer opportunities for local people which, in the longer term, will reduce a dependence on outward commuting. The plan will focus upon the need to increase opportunities and will

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encourage start-up and growing businesses in the interests of existing and emerging business owners, of the resident community and young people hoping to establish themselves in high skill, well paid, sustainable jobs. This plan does not support the loss of any existing employment opportunities and the buildings and sites associated with them.

5.3.2 A retail and leisure study by consultants PBA in 2017 prepared as evidence for the Development Plan and included as Appendix M2 emphasised the important market town role that Dartmouth plays for its wider hinterland. The principle that Dartmouth has a wider economic and social hinterland and that building upon existing tourism provision to enhance out of season attraction to the town has informed the policies of this plan. The PBA study also recognises that access to Dartmouth town centre is one of the main issues affecting the economic sustainability of the town, this is addressed in the transport and infrastructure section of this plan.

| Strengths | Opportunities |
|--|--|
| <ul style="list-style-type: none"> • Attractive harbour and seafront • Strong tourism industry and facilities to cater to tourist and visitor demand • High quality built form, including well maintained historic timber framed buildings | <ul style="list-style-type: none"> • Build upon existing strength of the tourism industry to support the local economy • Attract tourism from further afield through increasing tourism offer |
| Weaknesses | Threats |
| <ul style="list-style-type: none"> • Inadequate provision of public car parking • Relatively incoherent network of streets, with poor street signage on smaller streets • Minimal leisure uses for existing residents, due to existing leisure uses targeted towards tourism industry | <ul style="list-style-type: none"> • Failure to cater for local needs through over representation of shops and services targeted towards tourism demand • Decline of tourism pull due to relative inaccessibility of the town centre (driven by poor parking provision) • Competing tourist demand from more accessible or 'up and coming' town centres in SHDC |

SWOT Analysis of Dartmouth Town Centre (Retail and Leisure Study) PBA Consultants February 2017

5.3.3 This plan supports the actions of the Interim Devon Carbon Plan⁵ and the Heart of the South West Local Enterprise Partnership (HotSWLEP), to put clean, green and inclusive growth at the heart of the local economic strategy. This plan recognises the transformational change taking place in the global and local economies, in order to address climate change and the rise of new employment. The HotSWLEP runs the Devon Growth Hub, which supports start-ups of

⁵ <https://www.devonclimateemergency.org.uk/interimcarbonplan/>

any low carbon businesses. This plan identifies the types of employment that contribute to the economy as a whole and particularly the green economy which include;-

- High tech electronics
- A marine cluster including specialist research with local universities
- Climate and environmental science research linking to the Met Office in Exeter
- Healthcare research
- Clean and renewable energy installations and research

The UK Clean Growth Strategy suggests that the low-carbon sector has the potential to create up to 700,000 jobs across England by 2030; nearly half of these jobs will be in clean electricity generation and low-carbon heat manufacture and installation, a fifth will be in energy efficiency equipment installation, a further fifth in low-carbon services (finance, IT, legal) and the remainder in manufacturing low-emission vehicles and the associated infrastructure.

5.3.4 The town does recognise that overdependence on tourism in the future may compromise its long term sustainability. This plan sets out to support opportunities to develop emerging markets with considerable potential for diversification of the economy, without compromising tourism.

5.3.5 The town has a wealth of activities throughout the year, most notably the Dartmouth Royal Regatta, which has been in existence since 1834 and became the Royal Regatta in 1856 and the Port of Dartmouth Royal Regatta in 1895, towards the end of the 20th century, new initiatives resulted in more annual events including food and music festivals. Most services and facilities, particularly, those meeting the needs of tourists are located in the lower town with two larger supermarkets, leisure centre and most industry located in Townsal, in the upper town.

5.3.6 Dartmouth has an ageing population which will present two key problems over the plan period. It will almost certainly generate increasing demand for services to meet the specific needs of that ageing population and it will, without significant interventions, not have an indigenous population fully able to meet existing and emerging needs going forward.

5.3.7 Drawing on the 2011 census, of the residents aged between 16 and 74 (of which there are 4192 in Dartmouth), 2907 residents (69 %) were available to work. Of these 34% were full time employees, 15% were part-time employees, 16 % were self- employed. 2.4 % of residents were unemployed which is similar to the district and 7.4 % across England. Covid will affect these statistics in the short / medium term. There may be permanent changes to the local, and indeed national labour market. The plan sets out to support existing employees in their current roles and to reposition people to take advantage of emerging opportunities.

5.3.8 69% of residents in Dartmouth (source 2011 census) are economically active (classified as aged between 16 and 74). Of those aged over 16, 29% of the population of the town has NVQ Level 4 or above, compared to 46% in South Hams and 34% in England. The number of people in Dartmouth with no formal qualifications at all stands at 21%. The 2011 Census

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highlights the significant role played by retail, accommodation services, construction and public services, likely principally defence. Whilst the health and social care element might have reduced as a result of NHS restructuring, it is probable that the broad percentages in the key areas have remained broadly constant.

5.3.9 In the context of this plan past and current statistics on working from home and travelling to work would be misleading as work patterns have been enforced during the Covid pandemic. It is expected that post Covid work practices will change with opportunities for more home working and the frequency and mode of travelling to work might also change.

5.4 Transport and Infrastructure

5.4.1 Dartmouth is a small town with significant visitor numbers but beset by difficulties in terms of general access getting to the Lower Town, and access within the Lower Town, especially the historic core next to the estuary. The main road access is from the A3122 which links into the A379 Totnes to Kingsbridge route. This provides for the majority of vehicles requiring access to Dartmouth from the national network. Freight and distribution vehicles either stay in the Upper Town where the main industrial and shopping facilities are located or they proceed on to the Lower Town, mainly along College Way. The latter is a good quality road, leading to the Embankment and, thence, to the Lower Town, and tightly built-up area of mixed shops, businesses and houses in mainly narrow streets.

5.4.2 Vehicle access is also provided from the two ferries crossing the Dart Estuary. The current Higher Ferry is guided by a cable system. It can accommodate larger vehicles, such as coaches, but not large lorries. It operates between the northern end of the Embankment, at the end of College Way, and the continuation of the A379, leading into the Torbay urban area. This route is used for students studying at Churston Grammar School and South Devon College as well as transport to Torbay Hospital. In turn, this now provides an alternative access to the national road network –onto the A380 and A38. On leaving the Ferry vehicles either travel along the Embankment into Lower Town or drive up College Way to the Upper Town or onwards out of Dartmouth. The second ferry –the Lower Ferry –serves a more local purpose, linking Dartmouth with the village of Kingswear. This is a small ferry able to take 8-10 cars and smaller commercial vehicles. On arriving on the Dartmouth side, the vehicles are immediately in the close built-up area of the Lower Town. Queuing for access to the Ferry on the Dartmouth side is along the South Embankment, an occasional issue with high traffic volumes in the main holiday season. Passenger ferries also link the town to Kingswear as well as ones to Totnes and Dittisham/ Greenway Quay. A second passenger ferry service to Dartmouth is planned to be provided as part of the Noss Marina development with associated car parking.

5.4.3 There is a railway station at Kingswear in the adjoining parish served by a passenger ferry across the river Dart with a direct line to the mainline station at Paignton which links to the national rail network. Tourist trains are available in season but there is a long held aspiration to have a regular normal non-tourist service.

5.4.4 Bus services are infrequent and as follows:

- A service to Totnes and beyond - an hourly and part 2 hourly weekday service of 8 buses operating between 6 am and 6.25 pm
- The coastal route from Dartmouth to Kingsbridge and then onto Plymouth –a broadly hourly weekday service between 5 am and 5.15 pm
- A local service between Lower Town and the residential areas of the Upper Town - –Townstal. This operates a weekday service on a half hourly basis from 7.30 am to 11.30 pm

In addition, there is a seasonal (April to October) service linking the Town Centre with the Park and Ride. It is a seasonal service operating between Easter and the end of October (on a 20 minute frequency) with occasional out of season services for the Music, Food and Regatta Festivals. The weekday service runs from 8am to 7pm. South Hams District Council working in partnership with First Devon and Cornwall operates the bus service which comes into the car park to collect and drop off passengers. The service runs from the car park just outside Dartmouth on the A3122, where it joins with the A379 by the Lidl supermarket, to Dartmouth town centre. The rear part of the Park & Ride location is to be developed with a Health and Well-Being Centre. All bus services arrive and depart from the North Embankment adjoining the Boat Float in the Lower Town. The bus stops also serve as dropping off and picking up points for the numerous coaches which provide trips to include Dartmouth. These coaches mainly serve visitors staying in hotels in the Torbay area, but also from further afield.

5.5 Marine transport and harbour activity

5.5.1 The river Dart provides a key transport link with other local towns and villages. It is a major source of employment based around servicing commercial activity such as construction and fishing, recreational boating, transport links and tourism. Those arriving in Dartmouth by water contribute a significant part of the income for the town as do those attracted by the opportunity to take part in water-based activities ranging from swimming through paddle boarding up to international yachting events.

5.5.2 The Dart Harbour and Navigation Authority (Dart Harbour) has a statutory responsibility for most activities in the river and works closely with various bodies representing the interests of users, statutory authorities, local authorities and Town Councils, the Duchy of Cornwall and individuals. It offers a range of services which benefit users of the river and the local economy ranging from the provision and maintenance of moorings to pilotage for larger vessels coming into and out of Dartmouth (e.g. cruise ships and super yachts) and suitable landing and embarkation facilities. It is in itself a significant employer in the town. This plan supports the objectives of the Dart Harbour Strategic Plan

<https://www.dartharbour.org/wp-content/uploads/2019/05/Strategic-Plan-Lo-Res-2016-2026.pdf> Various initiatives are underway with the intention to enhance accessibility to the river. These include improving access for those with limited mobility arriving by boat and providing connectivity between Dartmouth and the new facilities being created at Noss Marina. Another initiative under the guidance of a charitable trust is the potential development of an improved public slipway to assist users to launch and retrieve small to medium sized vessels.

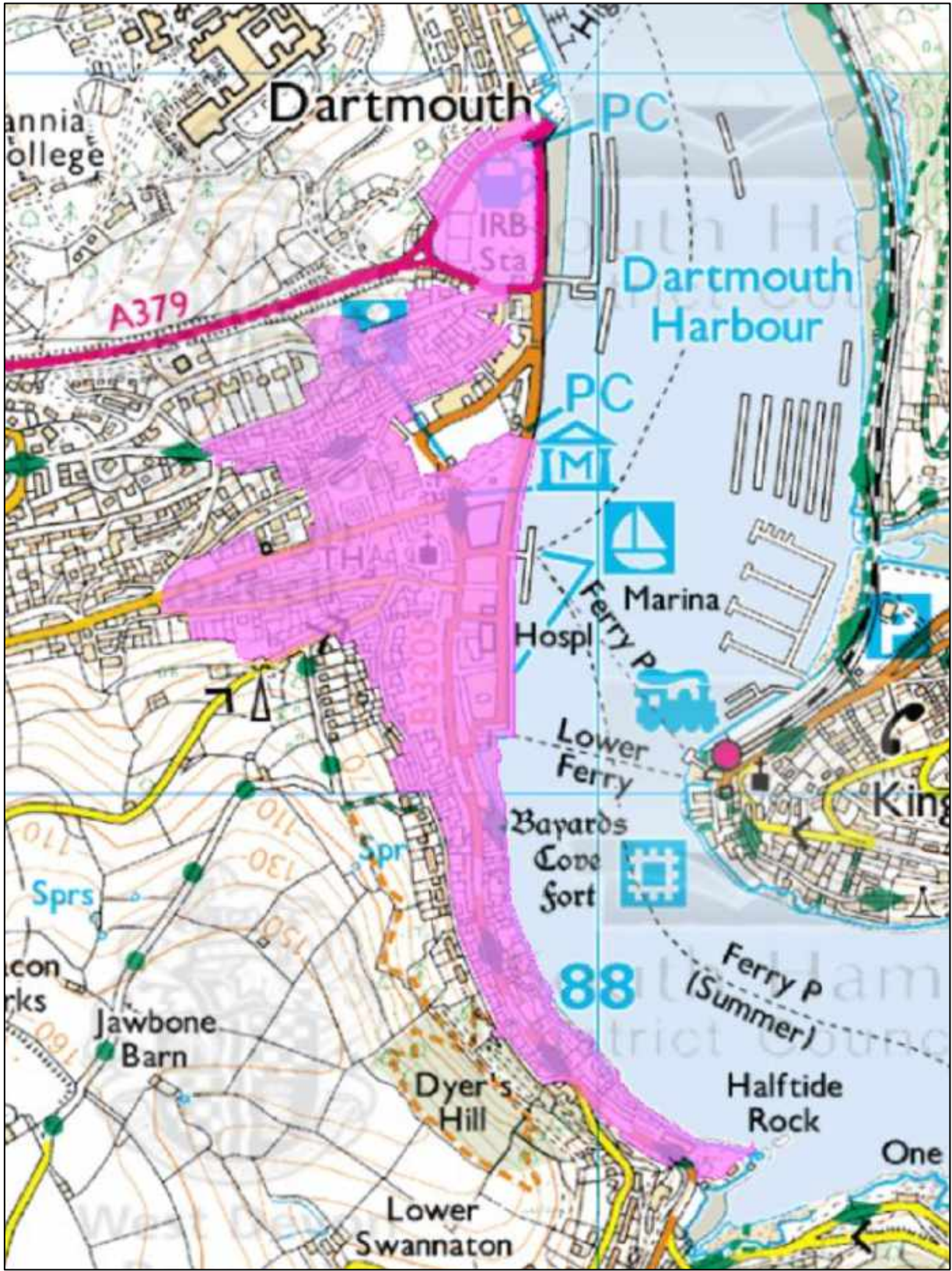
5.6 Town and historic environment

5.6.1 Dartmouth's rich historic environment, its buildings, archaeological sites, landscapes and streetscapes, is exceptional in its quality and diversity. Making the most of our historic environment - protecting and enhancing it for everyone's enjoyment, making it more accessible for the social, economic and health benefits this can bring - is therefore an important part of this Plan.

The position of Dartmouth at the mouth of the river Dart is of such strategic military and commercial importance, and its sheltered natural harbour so perfect, that it developed into an important town from the Middle Ages on, despite being inaccessible to wheeled transport until the 19th century. While it addresses the water, Dartmouth is a town of intimate spaces, unexpected flights of steps or pathways and steep, narrow streets with architectural jewels like St Saviours Church or the houses of the Butterwalk set amongst them. As the medieval town grew, development tended to follow the contours of the steep valley sides giving much of the town a terraced form and affording dramatic views of the estuary from the streets and the houses built along them.

Source: SHDC Dartmouth Conservation Appraisal 2013

5.6.2 Dartmouth's conservation area contains many heritage and non-heritage assets as well as a number of unique historical, green and urban spaces which require protection, enhancement and conservation. The Dartmouth Conservation Area appraisal 2013 study (Appendix L1) undertaken by SHDC set out to explain what makes the Dartmouth Conservation Area special, what needs to be conserved and what needs to be improved. This appraisal document is still very relevant and is the bedrock of the heritage and town environment policies of this plan. The town and historic environment policies of this plan build and on help deliver the recommendations of the conservation area appraisal.



Map 4 Dartmouth Conservation Area
shaded pink

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5.6.3 It is important to achieve a high level of design quality that makes a positive contribution to the historic environment and the conservation areas of Dartmouth. The SHDC Supplementary Planning Document 2020 Appendix 5 outlines the design principles to be adopted in conservation areas and these are supported by the Dartmouth Neighbourhood Plan.

5.7 Housing

5.7.1 To thrive as a coastal market town in the future, as a place to live, work and visit, Dartmouth will require a diverse and balanced population and age structure. Any new housing must reflect, therefore, the needs of such a population. The plan area is constrained topographically, with very few sites within the lower town suitable for the delivery of new homes. As such, any sizeable growth to support the future needs of the town will continue to the south-west of the town centre. Although the Dartmouth population has remained relatively static (Dartmouth Population in 2001 census **5,504** - Dartmouth Population in 2011 census **5,605**) as with many coastal communities Dartmouth has an ageing population with households becoming smaller and the number of families decreasing. The ONS produces mid-year population estimates for parishes throughout the country. The mid-2019 population estimate for Dartmouth parish is **5,427** indicating population decline of around 178 individuals since 2011. This level of population decline (3.2%) is broadly consistent with the lack of growth in the number of dwellings in residential use, along with the trends of under occupation, second homes and population ageing. The decline would be addressed by a growth in specialist housing for older people, single person households, couples without children and lone parents. There is, therefore, an increasing requirement for smaller houses, whether because of demographics, the requirement to downsize or issues of affordability.

5.7.2 The Housing Needs Assessment 2021 prepared for this Plan and included as Appendix N states that Dartmouth in particular and South Hams generally, is an expensive area with local people increasingly unable to afford local house prices. Local earnings have not kept pace with house prices in the South Hams area with the affordability ratio now standing at 11 (earnings to house price ratio) for both median and lower quartile earners.

5.8 Health and Wellbeing

5.8.1 In terms of healthcare provision the resident population quoted above increases to about 8,000 based on temporary visitor registrations with the sole GP practice located in Victoria Road. The additional registered numbers also come from surrounding parishes. During the tourist season day visitors can result in around a further 12/15,000 people in the town at peak times. Many arrive by coach or ferry. Short term occupants of furnished holiday lets are not included in these estimates. Following the creation of Torbay and South Devon NHS Foundation Trust (TSDNHSFT) as an integrated care organisation combining acute and community services, a new model of care has been developed which seeks to support individuals as close to their home as possible. A consultation led by South Devon CCG in 2016 resulted in the decision to close Dartmouth Cottage Hospital.

5.8.2 At the moment, TSDNHSFT provides a limited range of services in the Dartmouth Clinic in the centre of town at Zion Place and two intermediate care beds are commissioned from the Beacon Park care home. There are also two pharmacies operating in the centre of town. A new £4.8m H&WC is under construction on the park and ride overflow car park at the top

of the town. This is due for completion in late summer 2022. This will house the Dartmouth Medical Centre (GP Practice), services provided by TSDNHSFT, Dartmouth Caring's voluntary operations, a retail pharmacy, and a cafe. This will help secure greater integration of health services locally as envisaged by the model of care. However, residents and visitors to the town will continue to need to travel for minor injuries (Totnes – currently temporarily closed due to Covid -19 pressures), urgent treatment (Newton Abbot) and accident and emergency (Torbay Hospital). The town is served by an existing Ambulance Station and Devon Air Ambulance can land at Coronation Park. The nearest District General Hospital is located in Torquay.

5.9 Education

The main education provision for all school age pupils is through the Education South West (ESW) Trust, a multi-Academy Trust which runs the Dartmouth Academy an all-through school, providing for pupils from age range 3 to 16 (nursery, primary and secondary), and located on the edge of the Upper Town. St John the Baptist Primary School is the other school in Dartmouth catering for pupils below secondary school age. The Academy (September 2020) has around 450 pupils on roll. Current buildings are designed for a roll of 650+. In September 2017, Dartmouth Academy received a full OFSTED inspection, and was graded as overall 'good'. Partly as a result of this, secondary school numbers are starting to grow. At age 16+ school leavers from Dartmouth generally attend on one of South Devon College (for vocational and practical studies), or Kingsbridge Community College (to study A level or equivalent qualifications). Small numbers of students choose to travel to Totnes, Exeter or Churston for sixth form education. Sixth form provision in Dartmouth is not considered viable. About two-thirds of its pupils live locally (predominantly in Townstal). Two buses, paid for by the Academy transport students from Torbay. The school reports no particular problems with pupil transport at the present time. Good use is made of local leisure facilities, and there are strong links with BRNC for sports and outdoor activities.

5.10 Britannia Royal Naval College (BRNC)

Beginning in 1863 the training hulks Britannia and Hindostan were moored on the river side of a hilly peninsula called Mount Boone which from 1873 formed part of the Raleigh Estate <https://www.raleighestate.co.uk> and was established by Edward Walter Raleigh in his will. The present buildings on land at Mount Boone acquired from the Raleigh Estate date from 1905, the architect was Sir George Aston Webb, whose previous commissions included Admiralty Arch and the East Front of Buckingham Palace. The foundation stone was laid by King Edward VII in March 1902 and the first cadets entered the College three years later. The bombing of the College in September 1942 forced a change in training policy and both staff and students were evacuated to Eaton Hall, Cheshire, until the end of the war. Bomb damage sustained to the quarterdeck in 1942 The Royal Naval College re-opened in September 1946 and although structurally it remained unchanged, the number and character of its courses was greatly expanded. By the mid-seventies the number of graduate entrants had significantly increased. The tradition by which the sons of our Monarchy attend BRNC goes back to the time of Queen Victoria. The late HRH Prince Phillip studied there and of the present Royal family, Prince Charles and the Duke of York were also cadets. The range of courses continued to expand; two important new groups of officers came with the arrival of the Special Duties Officers Pre-qualifying Course, St. George, in 1974 and the WRNS Officers' Training Course, Talbot in 1976. The training of female Naval Officers was integrated into that of their male

counterparts in 1990 and the Special Duties Officers' Greenwich course moved to Dartmouth in 1996. The College, as a major presence in the Plan area, an employer and significant contributor to the economic and social sustainability of Dartmouth is as relevant as ever. Future changes in Government policy in the way naval training and maritime defence is delivered must be mindful of what impact they will have on the Plan area.

5.11 Dartmouth Green Partnerships

Formerly known as Dartmouth in Bloom the Dartmouth Green Partnerships (DGP) is a registered charity (www.dartmouthgreenpartnerships.org.uk) and has been in existence since 1974. Over the years they have won many awards for horticultural excellence from the Royal Horticultural Society and South West in Bloom. The purposes of DGP are two-fold; firstly, to promote horticulture and floriculture for the benefit of the public generally and in particular those who live in or visit Dartmouth by the provision of floral displays, shrubs and landscapes in places visible to the public and through the conservation of the environment and community involvement. In addition, DGP sets out to advance the education of the public in ecological sustainability, conservation, recycling and biodiversity. Volunteers takes care of several sites in Dartmouth and with others are keen to preserve and enhance the town's green spaces as places for health and wellbeing as well as public enjoyment.

5.12 Dartmouth Together

Dartmouth Together (www.dartmouthtogether.com) is a voluntary sector partnership established in 2018, with support from local government and the NHS, that aims to improve the health and wellbeing of those living in the community. Dartmouth Together is aiming to help existing community groups, such as sports, education and arts societies reach more people and increase membership.

5.13 TQ6 Community Partnership (TCP)

TCP (<https://www.c2connectingcommunities.co.uk/our-impact/tq6-community-partnership/>) is a partnership set up in 2009 of local people and services who work together to address local issues and community concerns to improve life in Dartmouth, Townstal and the surrounding villages. TCP aim to create greater community cohesion through activities and creating opportunities for the community to do things for themselves. Dartmouth is a town of two halves with visible affluence and hidden poverty. An historic focus on the affluence of the town and the tourist economy has long taken priority over the real challenges and needs locally. Like many coastal communities, Dartmouth, particularly Townstal at the top of the hill, is suffering from the impact of austerity cut back to services, seasonal work and the increase of zero-hour contracts, reduction and automation of essential services, high levels of digital exclusion, rural isolation, infrequent and expensive public transport and its local hard-working population are underrepresented in local decision-making.

5.14 Dartmouth Rotary

The group raises over £10,000 per annum and awards around 60% of this to local groups in need; including food banks, providing computers, and other school equipment and funding trips and helping schools with reading buddies. They also support other charities such as Community Chest. The remaining funds go to international charities including Shelterbox,

Mercy Ships, End Polio Now and Disaster Relief. In normal times the group organises the Summer Fete, Beer festival and collections at Candlelit Dartmouth, at Christmas.

5.15 Friends of Dartmouth Community Orchard

The group was founded in November 2014 now has 194 members, it was set up to protect the Community Orchard and provide maintenance and improve facilities. The Friends have gained Community Asset status for the Orchard and have persuaded the Town Council to voluntarily register it for Village Green status. The Orchard now has improved all-weather paths, a shelter with a green roof, with around 140 trees with many varieties of Devon apples. The group organise an annual summer picnic and apple pressing in the autumn.

5.16 Dartmouth Community Chest

Dartmouth Community Chest (DCC) is a local charity that is completely run by volunteers. They collect used good quality furniture and white goods and redistribute it all to low income families and individuals. They rescue tons of perfectly good items every year from ending up in landfill. DCC runs a series of initiatives to help the community. They provide emergency food parcels and free hot lunches every Friday. Representatives from housing associations, CAB and other organisations attend these lunches regularly to provide help and advice. They are working to support local households who rely on minimum wage seasonal work as poor transport links limit the job options for many, in a town with the lowest level of car ownership in Devon. Their work has helped countless people in Dartmouth and attracted national recognition.

5.17 Dartmouth and Kingswear Society

The Society is a charity whose members seek to preserve and enhance the area of Dartmouth and its surrounding villages, the River Dart and the neighbouring coastline and countryside. Much of this area is part of the South Devon Area of Outstanding Natural Beauty and includes a number of Conservation Areas. Objectives include the preservation, protection, development and improvement of features of historic or public interest as well as the natural beauty of the district together with the maintenance of a viable local economy, all in keeping with its character, design and history. The Society endeavours to promote high standards of planning and building and to prevent damage in the area. Where issues arise which need action or initiatives to meet these objectives the Society will respond accordingly. The Society also seeks to provide a range of enjoyable activities and events for members each year including occasional talks, receptions and visits to local places of interest and non-members are welcome to join in where possible.

5.18 The Old Dartmothian's Association

The Association was formed in 1923 at the Royal Regatta, it's objects are: 'For the renewal of old friendships and acquaintances of Dartmothians who revisit the scene of their youth and who would be likely to visit the town at the Annual Royal Regatta'; also, to keep in touch and with current events in the town; to advance the welfare of the home town; care of the old folk of Dartmouth and deceased members' widows; maintain an interest in the educational welfare of the young and encourage Dartmouth sporting traditions. The Association makes regular donations to local charities, youth organisations and sporting clubs, disability clubs and hospitals. Members give their time in supporting St Petrox, St Saviours and St Clement

churches when needed and other town assets such as the fountain, the shelter on Coronation Park and replacing the Middleton Arch.

5.19 Dartmouth Museum

The town is well-served by a small but well-formed museum located in part of the iconic Butterwalk, a row of rich merchants' houses dating from 1640. The main themes of the Museum are the people and town of Dartmouth, and its naval and maritime connections, supported by displays and archives. The Museum attracts around 10,000 visitors a year on foot and handles an increasing demand worldwide for genealogical and academic research enquiries. Exhibits are regularly updated including a model as part of the Mayflower 400 celebrations. The Museum survives in difficult commercial conditions, largely by being entirely staffed by volunteers. Further details can be found at <https://www.dartmouthmuseum.org>

5.20 Flavel Arts Centre

The Arts Centre was opened in 2005, and now plays a vital role as a community hub, providing cinema and live theatre, meeting rooms, a branch of Devon Libraries, an exhibition space and a café, and is open 363 days a year. The centre is supported by a team of over 100 volunteers. It is the only venue to provide this range of facilities and activities in Dartmouth and the wider area. The Flavel has a varied programme of live events with performances by some well-known artists; the cinema has more than 400 screenings per year; 36 different groups meet regularly including pilates and yoga classes and the Flavel is home to the local U3A. The library has over 20,000 visits a year, and the café provides a regular meeting place for locals and visitors alike.

5.21 Dartmouth Caring

Dartmouth Caring is a registered charity, established for over 30 years. In 2018 we were awarded the Queen's Award for Voluntary Service in recognition of the work we have been doing and continue to undertake. Our aims are simple, to support those in need. Each year we support over 750 people (10% of the local population) across Dartmouth and the surrounding villages. Much of our work is funded through local fundraising and small grants. We work from our base by the GP practice using staff and a team of over 120 volunteers to deliver our services. Our aim is to enable people to live happy and vibrant lives, connecting those who are isolated to others and improving health and well-being within our community. We provide a range of 20+ services.

5.22 The Food Bank

This food bank has been operating since 2012 is open every Wednesday morning 11 AM to 1 PM at Ivy Lane Dartmouth. We provide bags of ambient food to anyone in need and welcome referrals from local agencies. Food parcels are available at Dartmouth Caring and the Guildhall for collection when we are closed. We deliver to those who cannot collect in person.

5.23 The Flavel or Dartmouth pantry

In Dartmouth there is often unseen food and fuel poverty, partly due to the seasonal nature of the jobs in the hospitality sector. To help address this need, which has been even more marked through the 2020/21 covid pandemic, Flavel Church operates a pantry where fresh food, bread and other essentials can be obtained free of charge by whoever needs it. The project is supported by local businesses and charities in the town. The pantry is available

Regularly during the week and whenever the Church's Flavour Coffee Lounge is open. The lounge is open to people of all faiths and none, and it provides a safe haven where individuals and groups can meet; to chat; to knit; to relax; to meditate; or to pray.

5.24. Dartmouth Visitor Centre

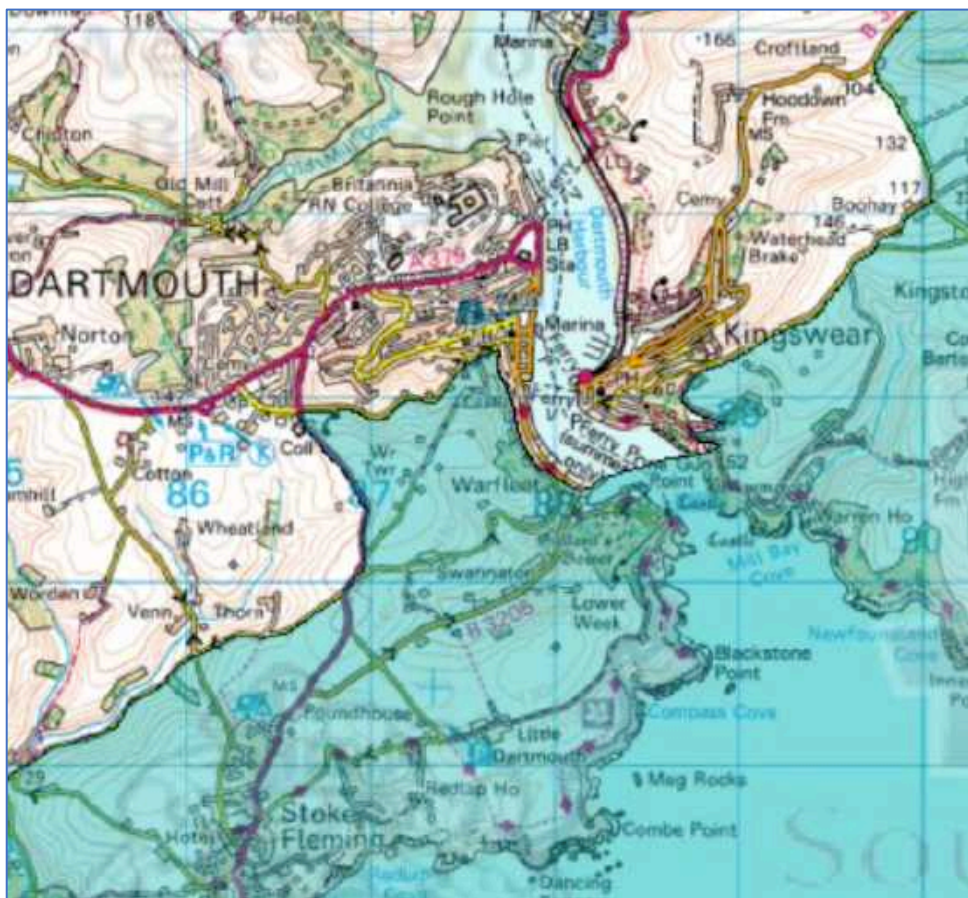
The centre is situated in the heart of the town in the Mayor's Avenue car park. It provides a welcoming face to visitors providing information about local events, attractions, travel arrangements and accommodation advice. The team of staff and volunteers have excellent local knowledge and help plan visits and days out. It is open 7 days a week. At the centre you will also find the oldest working model of the first atmospheric steam engine; invented in Dartmouth by local man Thomas Newcomen c 1712. This engine was used by the Coventry Canal Company for pumping water into the canal at Hawkesbury Junction, Warwickshire and was brought back to its birthplace in 1963 by The Newcomen Society.

6. Proposed policies for the Plan

6.1 Green Environment

6.1.1 Background

The NPPF states that “Planning policies and decisions should contribute to and enhance the natural and local environment” by “protecting and enhancing valued landscapes”. This is supported in the JLP in DEV25 which confirms that nationally designated landscapes such as the South Devon AONB should be protected from inappropriate development and activity.



Map 5 South Devon Heritage Coast Policy Area (JLP Dev 24) shaded blue



Map 6 Undeveloped Coast Policy Area (JLP Dev 24) shaded purple

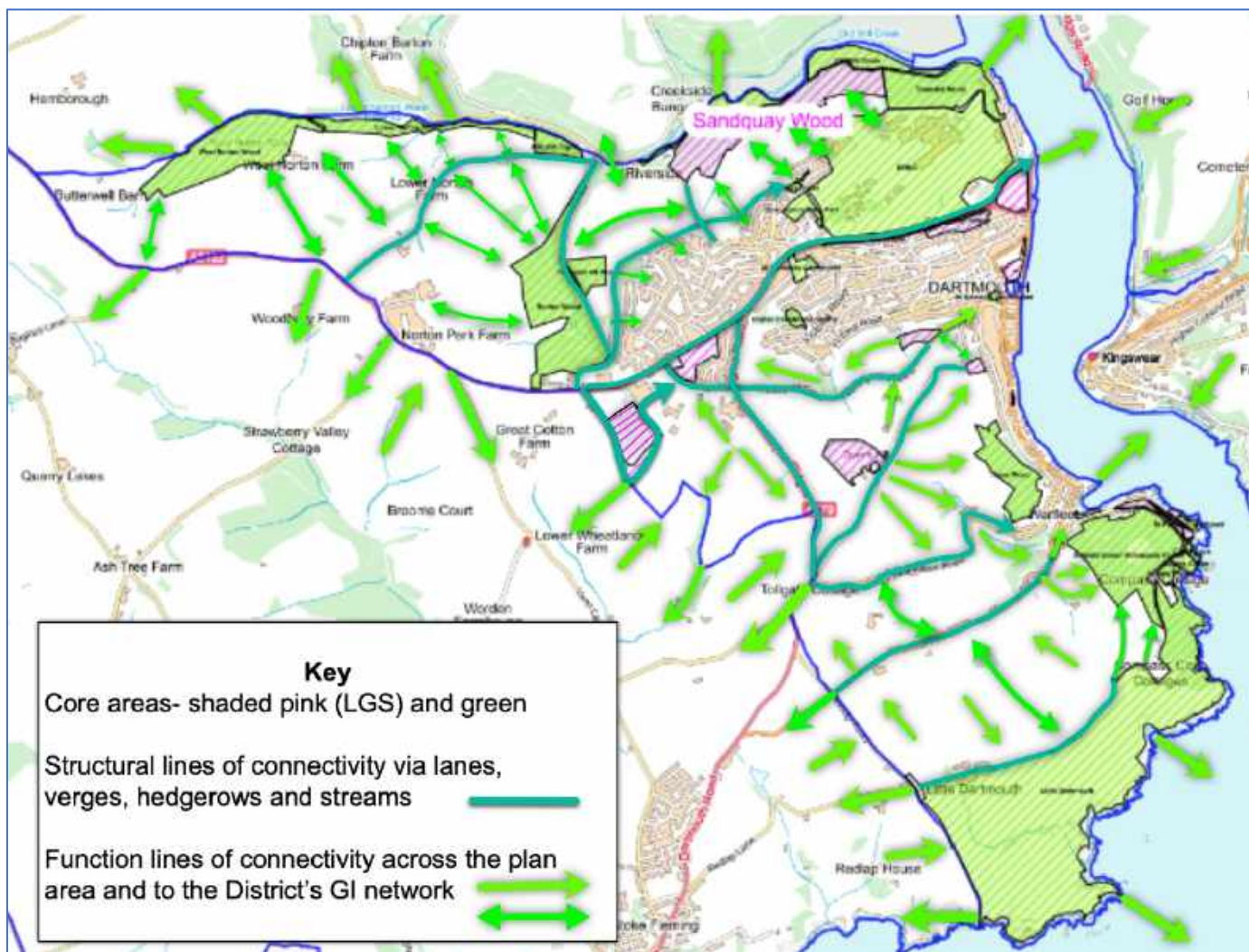
Policy DNP GE1 Impact on the South Devon Area of Outstanding Natural Beauty (AONB) Undeveloped Coast and Heritage Coast

In addition to National and Development Plan policies and guidance controlling development in and within the setting of the South Devon AONB, Undeveloped Coast and Heritage Coast, development within the designated landscapes must demonstrate, where appropriate due to the size and scale of the development the following; -

- a) how it maintains and enhances the intrinsic Landscape Character Areas and Types (LCT) of the landscapes affected as set out in the latest Landscape Character Assessment for the South Hams;
- b) why it cannot be accommodated reasonably outside the Heritage Coast and Undeveloped Coast designation;
- c) How the natural assets and constraints of a development site including existing trees, historic boundary features, walls, hedges, banks and ditches have been assessed. Substantial harm to or loss of irreplaceable habitats (such as ancient woodland and ancient and veteran trees) will be refused unless there are wholly exceptional reasons and a suitable compensation strategy exists;
- d) how opportunities for improving public access to and the enjoyment of the coast have been included.

6.1.2 Safeguarding biodiversity and Green Matrix through the plan area

Planning policy at all levels must aim at enhancing biodiversity, seek to protect the core areas of the green matrix, the network of routes that connect them, and the species present in them. The policy below seeks to at a local level ensure legal requirements are met, and that specific development plans prevent or mitigate the loss of biodiversity.



Map 7 The Green Matrix of Dartmouth Parish

The Green Matrix links habitats and the wildlife they support. They provide a vital role in allowing all kinds and sizes of wildlife, from mammals to invertebrates, to move safely between home patches which otherwise would be isolated. They promote healthy and resilient biodiversity of plants and animals and help prevent genetic inbreeding and local extinctions. Typical components may be lanes, the banks of watercourses, unsprayed field margins, hedges and strips of woodland. Their essential feature is connectivity, with different types of corridor linking to provide larger and more valuable wildlife resource. Designation should alert Planning Authorities of the need to preserve this connectivity by avoiding development which will, for example, remove sections of hedgerows or clearance of

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woodland. The protection of existing, and creation of new green corridors is a prime objective of the South Hams Infrastructure Framework 2015.

Policy DNP GE2 Safeguarding the biodiversity and Green Infrastructure throughout the Parish

Where appropriate due to the size and scale development proposals should; -

- a) Include a Green Infrastructure plan to show how the development can improve greenspaces and corridors for people and nature, in the context of the parish and where possible connecting to the green matrix of the plan area and the broader green infrastructure of South Devon. The individual components of the green matrix illustrated in Map 7, Appendix E1 and wildlife resources included in Appendix E2 should be protected. Opportunities should be sought to improve accessibility, enhance and extend this matrix. The presence and importance of the Greater Horseshoe Bat sustenance zone of the South Hams SAC in the Plan area should be recognised.
- b) Include a biodiversity action plan which includes details of how the development will achieve a net gain in biodiversity in compliance with national policy requirements.
- c) Retain on site natural features such as Devon banks, stone walls, steps, hedgerows, protecting existing mature trees beyond those protected within a Tree Preservation Order or the Conservation Area.
- d) Where possible replace any alien and foreign species of trees considered invasive or harmful with indigenous species.
- e) Promote where reasonable opportunities for improving access to heritage assets and green space through new walking routes.
- f) An increase in paved areas resulting in loss of habitats and increased flood risk is generally not supported.

6.1.3 Community aspiration; to protect and create net gains in biodiversity

This plan supports DTC in actively encouraging local landowners to participate in DEFRA's Higher Level Stewardship scheme (and its post-Brexit equivalent) to enhance biodiversity on agricultural land within the parish or otherwise to adopt practices that achieve the same aims. In addition, the plan supports DTC drawing up management plans for the sites of wildlife interest that it owns; each plan to incorporate measures for protecting and enhancing biodiversity. Dartmouth based groups and individuals are encouraged to work with conservation bodies and contribute to monitoring schemes in order to develop a richer picture of the biodiversity within the parish.

6.1.4 Local Green Space

NPPF para 99 allows the designation of land as Local Green Space through Neighbourhood Plans, allowing communities to identify and protect green areas of particular importance to them. Para 100 establishes the criteria for such designation of a green space;-

- In reasonably close proximity to the community, it serves;
- Demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and
- Local in character and is not an extensive tract of land.

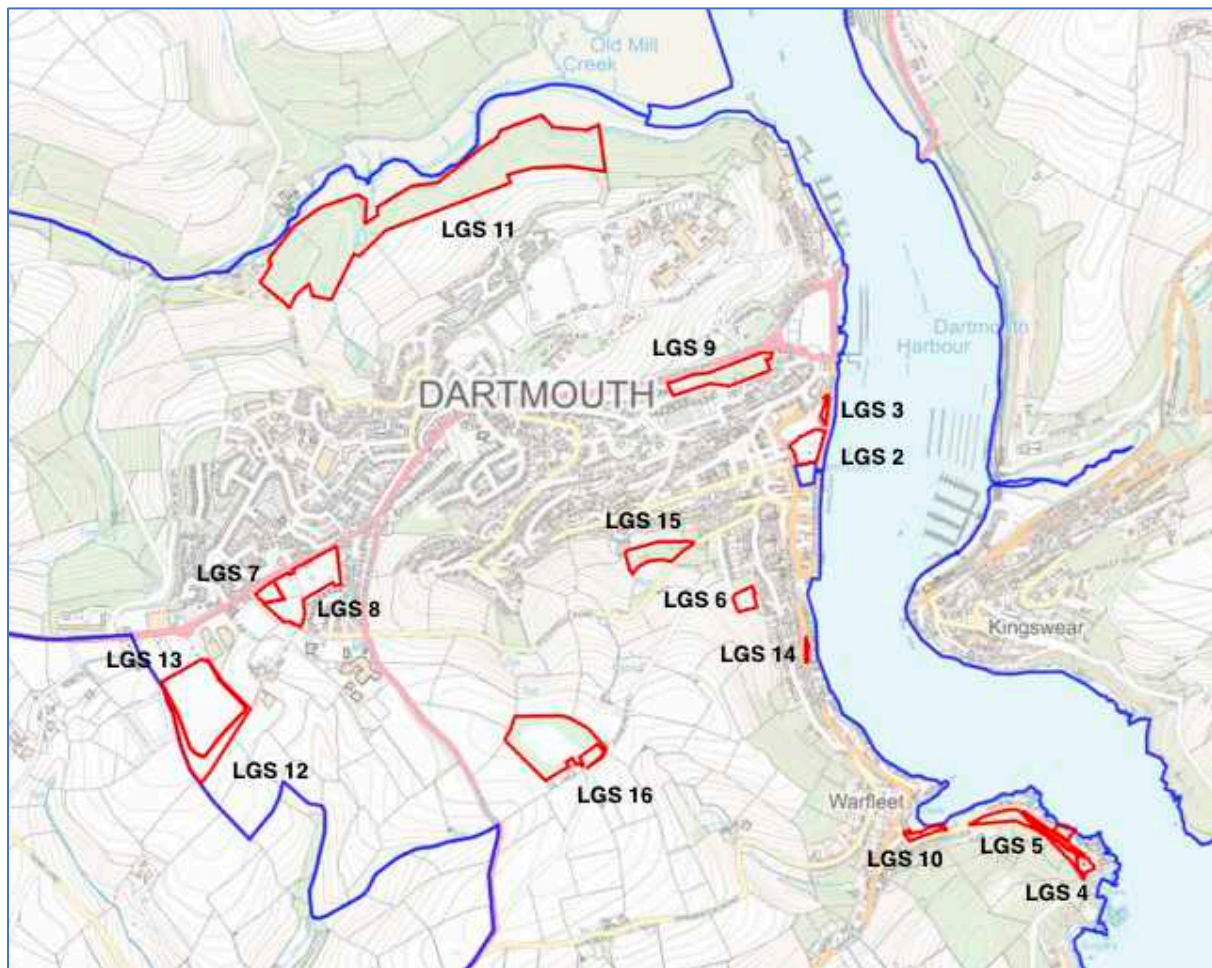
Consultation with the local community regarding the audit of open spaces and nomination of those suitable for Local Green Space designation was undertaken at public meetings, notification of Landowners by phone and email, meetings of the Green Environment Topic Group, through publicity on the website, through newsletters and the development of a team of “Local Champions.” Landowners were consulted for all of the nominated sites. The sites nominated for Local Green Space designation are shown in Map 8 and in Table 3 included in the appendices which summarises the evaluation of these sites.

Policy DNP GE3 Local Green Spaces

The following areas illustrated in Map 8, 8a and detailed in Green Space, Environment and Community Table 3 <https://dartmouthplan.org/wp-content/uploads/2021/12/green-spaces-table-3.pdf> are designated as Local Green Spaces:

| | |
|-------|---|
| LGS1 | Not used |
| LGS2 | Royal Avenue Gardens |
| LGS3 | Community Greenhouse and adjacent gardens |
| LGS4 | Green spaces and shelter beside Dartmouth Castle Wall (excluding Hawley’s Fortalice wall) |
| LGS5 | Castle Estate |
| LGS6 | Jawbones Allotments |
| LGS7 | Milton Lane Allotments |
| LGS8 | Longcross cemetery |
| LGS9 | Community Orchard |
| LGS10 | Warfleet Creek, Lime Kilns, Quay and Slip. |
| LGS11 | Sandquay wood |
| LGS12 | Norton Wood |
| LGS13 | Norton Field |
| LGS14 | Manor Gardens and viewing platform |
| LGS15 | Crosby Meadow |
| LGS16 | Jawbones Beacon Park |

Inappropriate development will not be supported except in very special circumstances.



Map 8 Local Green Space designations lined in red, parish boundary in blue

6.1.5 Allotments

There are 0.7ha of allotments in Dartmouth, divided between 2 sites, this is adequate for the present population but is slightly below the target for Devon established by the English Allotments Survey in 1987 (0.15 ha/1000 population) and adopted in the JLP policy DEV5. One site Milton Lane is on flat ground and owned and operated by DTC, the other on the steep slope of Jawbones Hill, owned by the Dartmouth Trust and operated by the Jawbones Allotment Society. Both sites are judged to be adequate by the occupants with provision for storage and accessible water and are fully occupied with a waiting list for vacant plots. The Milton Lane site has car parking. It is important that both sites are retained for this purpose and that provision is monitored as the Cotton Farm development becomes populated. The need for further provision should be monitored in line with demand from increased waiting lists and the needs of new residents.

Policy DNP GE4 Allotments

The allotments at Milton Lane and Jawbones will be retained. The importance of Milton Lane and Jawbones allotments as assets to the community, and local food production is recognised by their designation in this plan as Local Green Spaces. The re-purposing or encroachment on these existing sites will not be supported.

Development that includes provision for community allotments will be supported.

6.1.6 The Dart Estuary

Dartmouth has an intimate relationship with the river from which it takes its name. This relationship requires pro-active management through the Dart Harbour Authority, The South Devon AONB, District, Parish and Town Councils. The AONB Estuaries Management Plan for the Dart Estuary and the Dart Harbour Strategic Plan in force at the time should be material considerations in determining any future planning applications where it is relevant to the planning proposal. Regard is given to the objectives of the Water Framework Directive (<https://environment.data.gov.uk/catchment-planning/ManagementCatchment/3081>) the River Dart is Moderate Ecological Status in this location. New development must not cause deterioration from the present status and opportunities to achieve a good status should be sought. This would have benefits for the environment, as well as the community and attracting economic investment.

Policy DNP GE5 Maintaining the character and the environmental quality of the river

The natural characteristics of the Dart estuary should be retained in any development along the waterside. For any future waterside development consideration should be given to respect the following criteria; -

- a) All existing wooded areas visible from the river, particularly those running to the water's edge and/or where they start at the visible natural ridge line should be retained;
- b) Any adverse impact on the health and quality of the river from development must be mitigated against; this includes impact from noise, pollution, such as sewage and litter;
- c) There should be an overall positive impact on the wildlife designations along the river edge as indicated in the Green Matrix strategy (Map7) and the Wildlife Resource Map for the Plan Area (Appendix E2) Designations that must be safeguarded include; Special Areas of Conservation, County Wildlife Sites, Strategic Nature Areas and Other Sites of Wildlife Interest.

6.1.7 Locally Important Views (LIV)

There are many impressive, iconic, and locally distinctive views within the parish. Those selected after consultation with our community are listed in the following policy. The views support the setting of the town within the South Devon AONB and should inform future development. The LIVs are listed in Appendix F and their arc of view illustrated in Maps 9a and 9b, they fall into 3 categories:

- Natural and sequential approaches to Dartmouth; these represent green highways variously consisting of Devon banks, historic walls, and hedgerows with assorted shrubs and trees that are important for their visual qualities, imbue a sense of tranquillity and provide important habitats for biodiversity.
- Views from the town; to the sea and river, the network and matrix of green spaces, woodland and agricultural land which create the varied landscape and seascape character types and provide the setting for Dartmouth.
- Views into the new and old parts of the town emphasising the setting of the built environment.

Policy DNP GE6 Locally Important Views

Development within the foreground or middle ground of the views shown in Maps 9a and b , and Appendix F <https://dartmouthplan.org/wp-content/uploads/2022/01/Appendix-F-1.pdf> should not harm and should, where possible, contribute positively to the existing composition of natural and built elements. Development should not be overly intrusive, unsightly or prominent to the detriment of the view as a whole, or to the landmarks within the view. The views are:

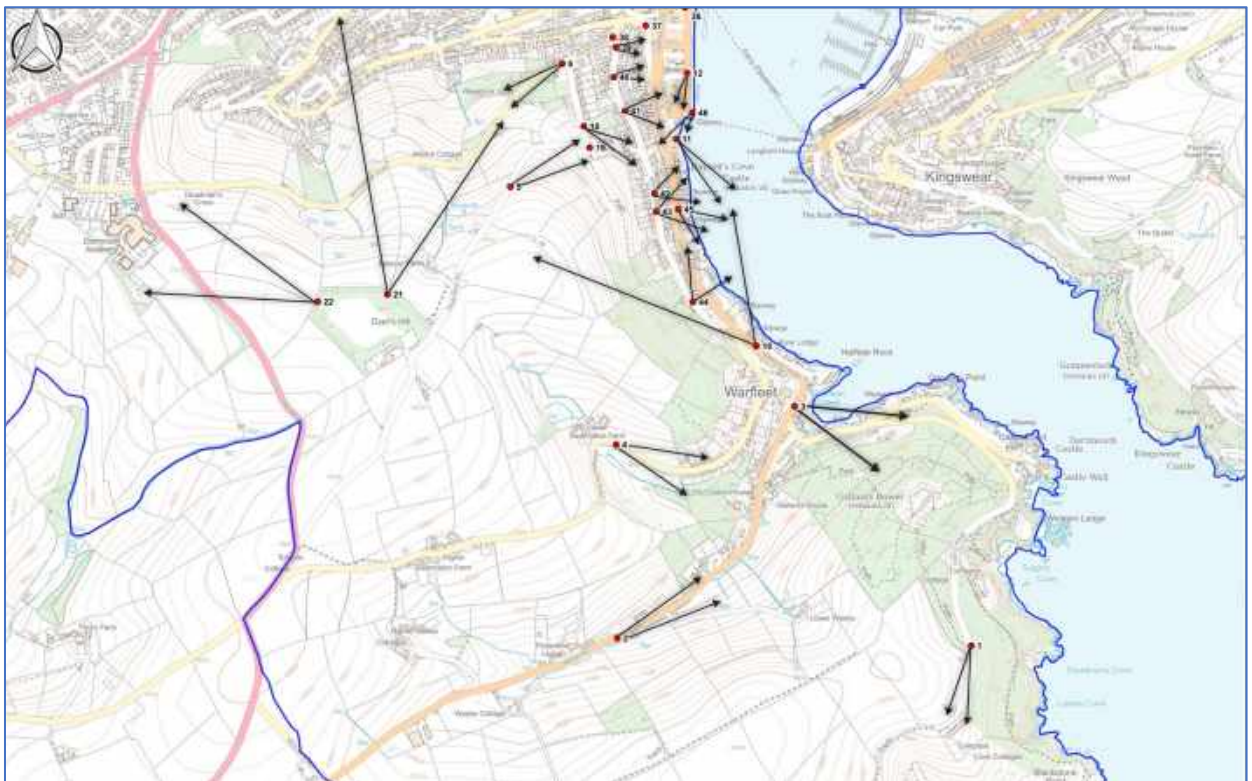
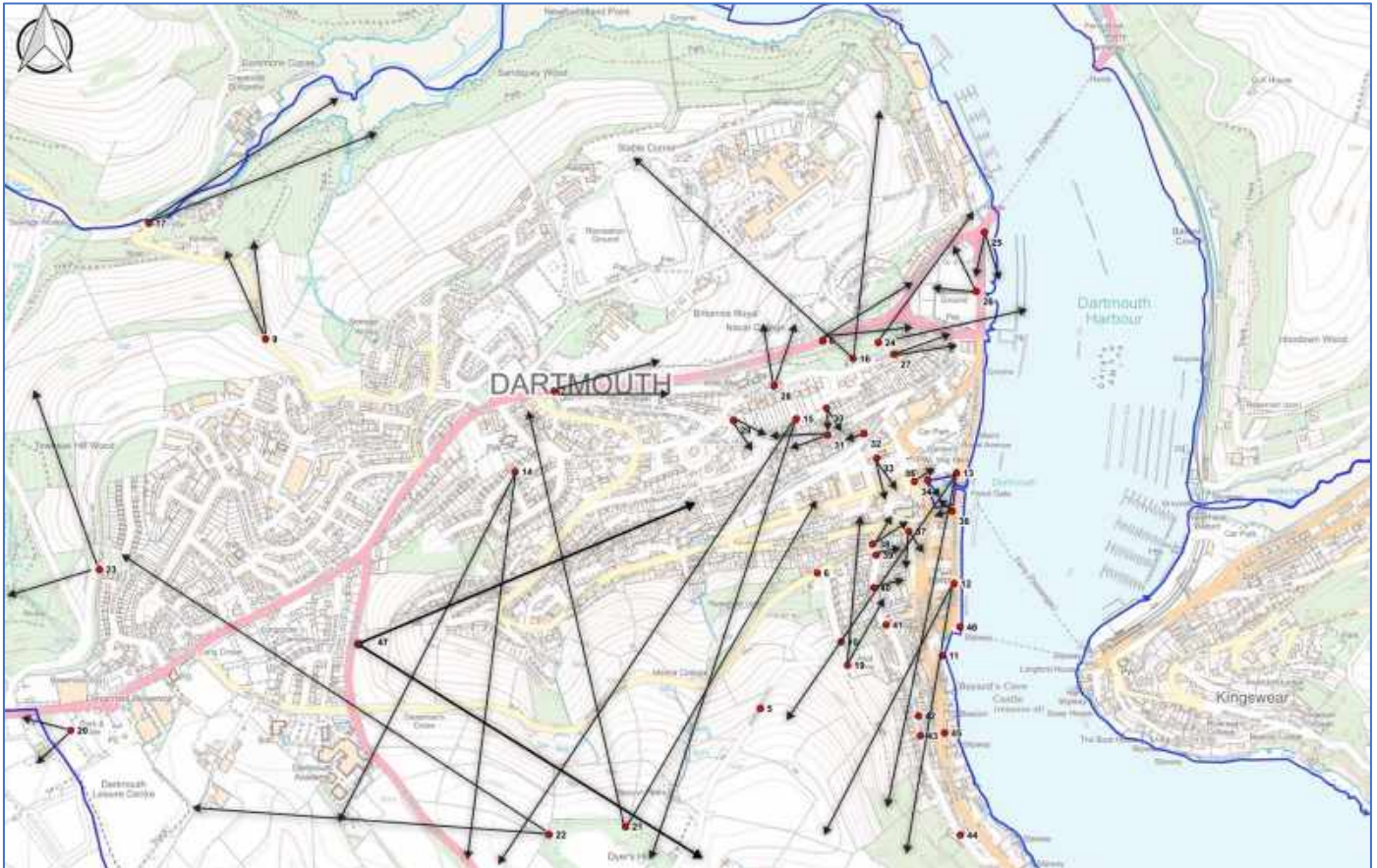
- V1 Road to Coastguard Cottages
- V2 Week Hill Road
- V3 Warfleet Creek
- V4 Swannaton Road
- V5 Jawbones Hill
- V6 Waterpool Road
- V7 College Way (upper)
- V8 College Way (lower)
- V9 Old Mill Lane
- V10 Castles and Gallants Bower from Jawbones allotments
- V11 Gallants Bower from Bayards Cove
- V12 Dyers Wood from the South Embankment
- V13 Dyers Hill from the Boatfloat
- V14 Jubilee Beacon from town
- V15 Dartmouth Academy and ridgeline from town
- V16 BRNC from the Community Orchard
- V17 Mill Creek
- V18 Town view from the top of Warfleet Road
- V19 Town view from Jawbones allotments
- V20 Park and Ride wooded strip looking north
- V21 Town and BRNC from Beacon Hill
- V22 Academy and Townstal from Jawbones Beacon Park
- V23 Townstal Hill Wood down to Mill Creek
- V24 Coronation Park and River Dart from the orchard
- V25 Top of slipway, North Embankment
- V26 Coronation Park
- V27 Ridge Hill

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- V28 Mount Boone
- V29 Keep Lane
- V30 Mount Boone Hill
- V31 Clarence Hill
- V32 Brown's Hill
- V33 Foss Street
- V34 The Quay
- V35 Duke Street
- V36 Spithead
- V37 Smith Street
- V38 Crowthers Hill
- V39 Above Town (1), down Horn Hill
- V40 Above Town (2) towards the Dart
- V41 Above Town (3) overlooking Chapel Lane
- V42 Above Town (4) overlooking the Dart and Kingsweir
- V43 Above Town (5) overlooking the Dart and Kingsweir
- V44 Above Town (6) overlooking the Dart and the town
- V45 Newcomen Road/ Manor Gardens
- V46 Coles Court / South Embankment
- V47 Yorke Road



Photographs of Locally Important Views; a full set of views and their justification are included in Appendix F



Maps 9a and 9b Locally Important Views

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6.1.8 Mitigation against climate change and achieving net-zero carbon emissions

Concerned individuals, families and businesses are already making choices to reduce their carbon footprints; for instance, buying electric vehicles, installing renewable energy heating systems and better insulation, choosing green energy tariffs, recycling, reducing car journeys. Sustainable tourism is becoming increasingly popular; for example, adopting measures like solar or electric powered ferries and tour boats, hydrogen-powered buses. (see Appendix G, section 2). In order to meet the Intergovernmental Panel on Climate Change target of reducing carbon emissions by 45% by 2030 and SHDC's declaration of a climate change and biodiversity emergency on 25th July 2019 and setting a target of net-zero emissions by 2050, this plan supports the adoption of a variety of measures. (Also see Appendix G, section 1b).

Policy DNP GE7 Actions to mitigate against climate change and carbon reduction

This Plan supports the objectives contained in the Devon Climate Change Strategy (September 2018). Development proposals should, (where appropriate to the size and scale of development); -

- a) Assess and monitor the carbon footprint of the development, its impact on the local community, infrastructure and economy including tourism, employment, transport, farming. Proposals should assess its own operations to enable it to reduce carbon in the development and future operation.
- b) Make the town and employment activities more innovative, environmentally friendly and responsible, carbon neutral and sustainable. This applies to all businesses in the Plan area but in particular the most prevalent sectors such as tourist accommodation, river activities, ferry companies, the marina, hospitality, and seasonal events.
- c) Include composting and recycling facilities or access to a local community composting facility providing suitable management procedures are in place.

6.1.9 Trees and hedgerows perform a number of important roles in supporting biodiversity, providing attractive shade/shelter and generally improving health and amenity. Trees will also help the plan area adapt to the effects of Climate Change. New development should include the provision of suitable tree planting where appropriate.

Policy DNP GE8 Promotion of tree planting

Development proposals should achieve an increase in biodiversity in accordance with national policy and carbon capture through additional tree and other planting and appropriate land management.

Development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) will be refused, unless there are wholly exceptional

reasons and a suitable compensation strategy exists. Proposals should be accompanied by evidence that establishes the health and longevity of any affected trees.

New tree planting should use only native and locally appropriate species and must not conflict with and should complement wildflower rich grasslands.

Community based initiatives to plant trees and enhance biodiversity, wildlife habitats and corridors within the plan area will be supported where appropriate.

6.1.10 This Plan supports JLP policy DEV35 (Renewable and low carbon energy). Through the consultation process the community have expressed interest in supporting more renewable energy generation in the parish. Not all technologies are appropriate for this sensitive landscape; there is potential for biomass, hydro-electric and small scale roof mounted solar. Solar farms or wind turbines are not considered suitable for the parish.

Policy DNP GE9, Encouraging renewable energy

Where planning permission is required proposals for small scale renewable energy generation will be supported this includes; -

- Biomass; where material is sourced from the coppicing local woodland and hedgerows;
- Hydro power generation from local watercourses;
- Technologies making use of the River Dart;
- Small scale solar power when roof mounted on domestic, employment and agricultural buildings;
- Ground source and air source heat pumps;
- Community heating and combined heat and power.

Wind turbines and large-scale ground mounted solar power are not considered appropriate methods of generation within the parish.

Where appropriate proposals should demonstrate that they will not affect the integrity of the Statutory and Non-Statutory wildlife sites within the parish and will have no detrimental impacts on South Devon AONB. Where necessary proposals must be supported by protected species surveys and the identification of any necessary mitigation measures.

For the purposes of this policy small scale is defined as less than 50Kwp.

6.1.11 Community aspiration; to mitigate against Climate change:

The plan supports the introduction of carbon reduction measures within DTC and harbour operations:

- Consider facilitating a salary sacrifice scheme for electric cars, getting an electric car pool and changing the vehicle fleet to electric. (See Appendix G, section 1c);
- Install renewable energy systems in its buildings to reduce energy use and improve efficiency;
- Buy fewer consumables and reduce waste (e.g. plastics especially for single use).
- Ensure that clear, visible signs are installed and maintained at ferry queues to prevent idling vehicle engines;
- Introduce greener low carbon ferries;
- Ensure that existing ferries do not where possible idle when stationary;
- Adopt a communications policy to encourage a local movement for behaviour change;
- support a local awareness campaign to keep local residents, businesses and visitors up to date with current recommendations and legislation issued by national and local government and environmental organisations (Appendix G, section 4).

Local businesses are encouraged to contribute to a 'Green Recovery Plan', putting sustainable initiatives at the heart of economic recovery from the Coronavirus Covid 19 pandemic. This plan encourages the adaption of existing businesses and the welcoming of new businesses to achieve this. For example, existing or new businesses could adapt to retrofitting domestic and marine powering systems with clean energy. (Appendix G, section 1a)

6.1.12 Light Pollution: new development that increases the level of artificial light is a factor that threatens the survival of protected and threatened local wildlife and adversely affects human health. South Devon AONB Management Plan Policy Lan P4 (Tranquility) and Lan P5 (Skylines and visual intrusion) seek to reduce the impact of external lighting and nighttime scenic intrusion. When outside lighting is used on private and public premises, including floodlighting, encouragement will be given to ensure that it is neighbourly in its use. All external lighting should be deflected downwards rather than outwards or upwards and should when possible be switched off after midnight; any movement-sensors should be regulated to reduce illumination periods to a minimum.

Policy DNP GE10 Prevention of light pollution

To protect the dark sky environment of the Parish development proposals should follow the guidance of the Institute of Lighting Professionals and in particular on the impact of bats on lighting schemes (guidance note 8, Bats and Artificial Lighting)⁶ The following will not be supported; -

- a) The use of a high proportion of glass in walls and roofs without consideration of the impact on the environment when internally lit.
- b) Security lighting, outside lighting, and floodlighting that is not designed to minimize their impact on the night sky with lighting deflected downwards and switched off after midnight.

6.1.13 Flood Prevention

Dartmouth is at risk of flooding by fluvial, tidal and wave action. The Environment Agency (EA) completed a tidal flood risk modelling update for Dartmouth in 2017. The study assessed the flood risk in Dartmouth for a range of events and has used the results to update the tidal procedures for Dartmouth. The model results show that there are areas of the town susceptible to regular flooding. These areas include the Lower Ferry Slipway, the North and South Embankment, Coronation Park, Bayard's Cove and Dart Marina (Appendix G, Section 4A) This modelling helps the community better understand the risks helps DTC work with partners such as the EA, and SHDC to identify works that can be done to mitigate the impact of these risks.

Policy DNP GE11 Prevention of Flooding

Development within flood risk areas must be avoided unless no alternative sites are available.

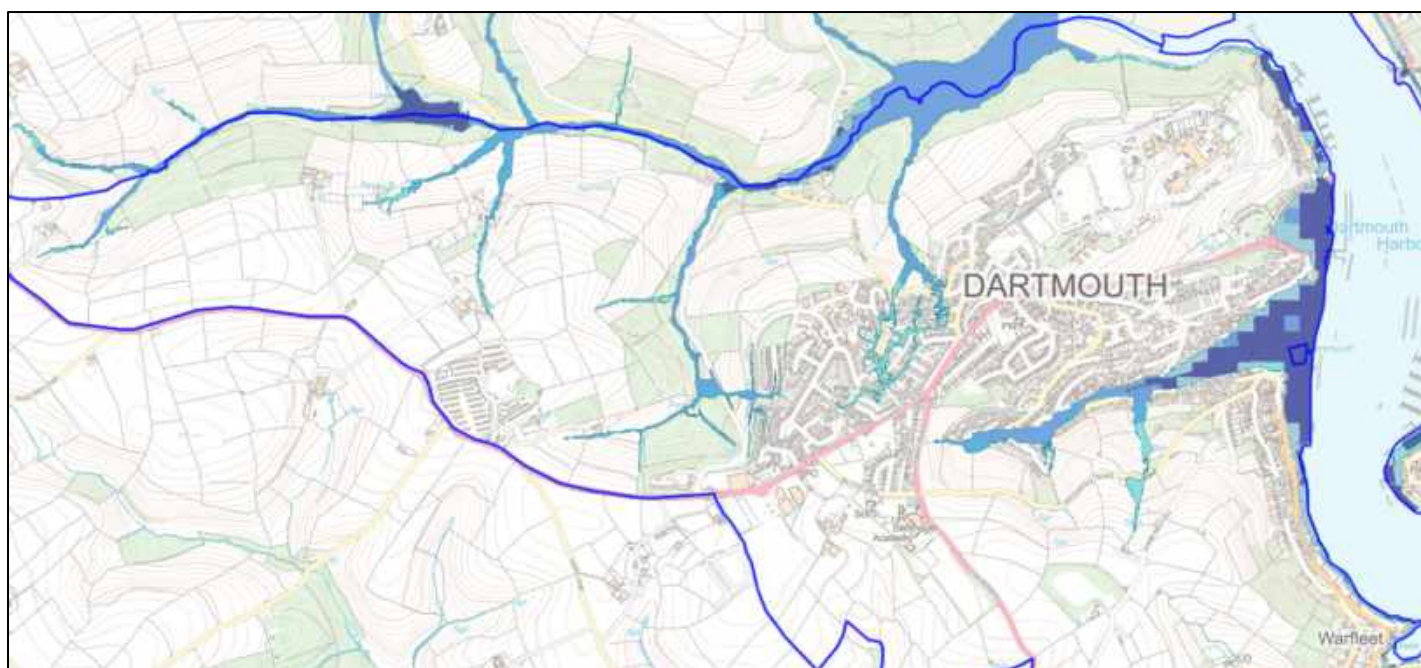
Where there is no alternative to developing within a flood risk area, new development must be designed to be safe from flooding, not increase flood risk elsewhere and, where possible, reduce flood risk overall. Proposals should address the latest national guidance on meeting the challenge of climate change through flooding and coastal change. Where necessary proposals must demonstrate that the impact on the existing foul and surface water system has been assessed and includes details of on-site mitigation if required.

Any proposals in the proximity of the Environment Agency flood risk areas illustrated in map 10, and subsequent revisions to the Flood Map, and highlighted in their flood risk modeling should have due regard to historic flooding incidents and the reports of these prepared on behalf of Dartmouth Town Council, included as Appendix O.

⁶ <https://theilp.org.uk/resources/#professional-lighting-guides>

There should be no adverse impact on local streams, leats, flood channels and neighbouring properties.

The design of any flood defences should be carried out in consultation with the community and appropriate to the historic and natural settings of the plan area. Materials used should be in accordance with the policies of this plan and the planning guidance of the South Devon AONB.



Map 10 Flood Risk areas for Dartmouth Zone 2 light blue, Zone 3 dark blue

6.1.14 Settlement Boundary and avoidance of coalescence

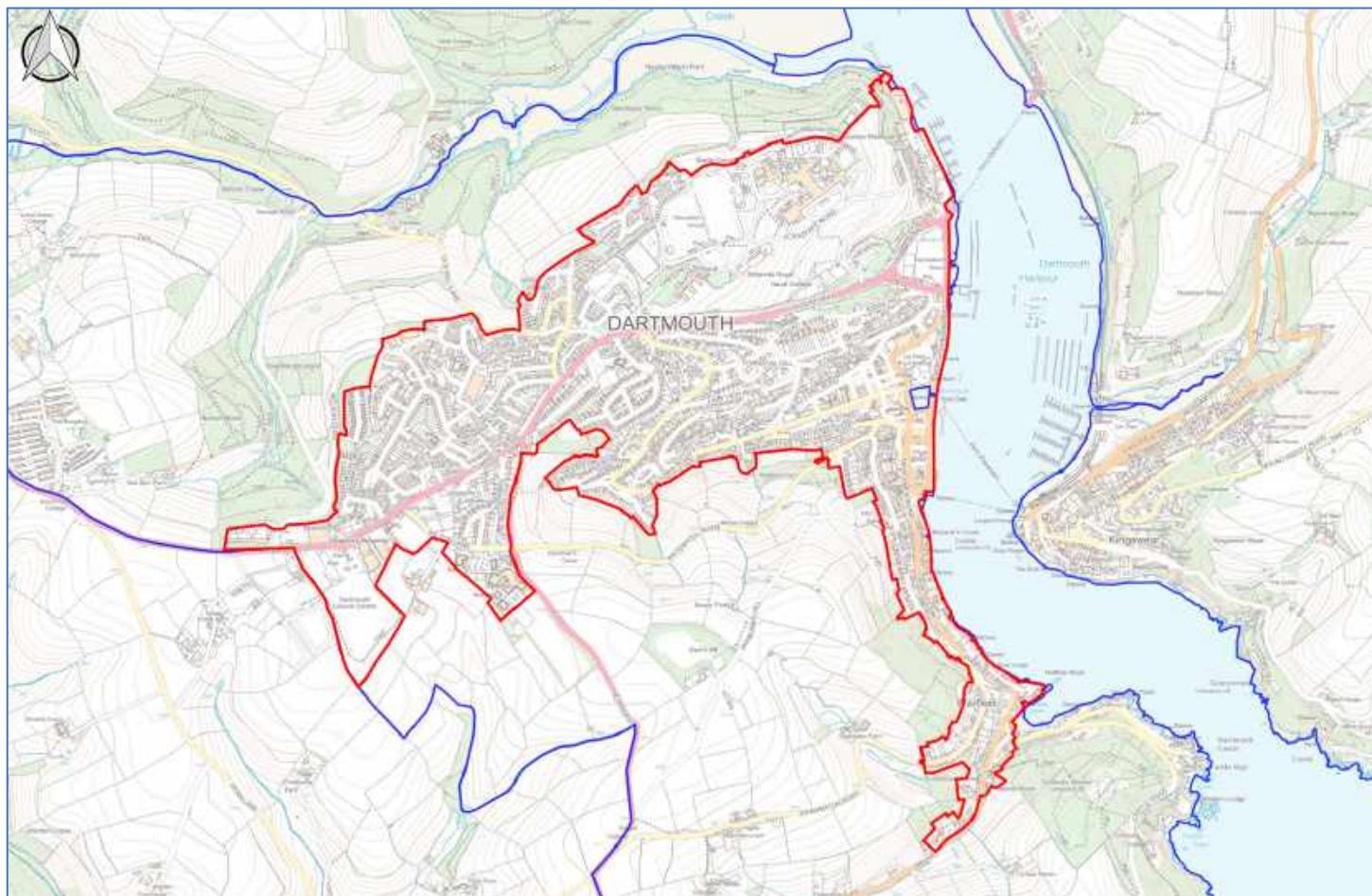
Dartmouth is one settlement, however at the western edge of the Parish the developed area is close to the Parish boundary and risks coalescence with adjacent settlements and hamlets. This plan considers that green infrastructure around the settlement is important to the open character of the town, maintaining a high environmental quality and achieving the green matrix referred to in Policy DNP GE2. To safeguard these features and prevent coalescence a settlement boundary and avoidance of coalescence policy is included in this Plan. The settlement boundary proposed restricts development in the open countryside, will be used to ensure that development proposals do not individually or cumulatively result in the coalescence and the loss of the separate identity of Dartmouth. The principles applied to determine a settlement boundary to inform the JLP (TTV Topic Paper March 2017) were used to help define the boundary. For proposed development sites located outside the settlement boundaries Plan Policy DNP H2 (Rural Exception Sites outside the settlement boundary), DNP EC6 (Employment Uses in the Countryside), the criteria of JLP Policies TTV 27 (Meeting local housing needs in rural areas) and TTV26 (Development in the Countryside) will also apply.

Policy DNP GE12. Settlement Boundary and the avoidance of coalescence

A settlement boundary for Dartmouth is designated in this Plan and illustrated in Map 11. Development inside the settlement boundary is acceptable in principle subject to National Policy and Guidance and the Development Plan.

Development proposals outside the settlement boundary will be treated as development in the open countryside.

To protect the character and appearance of Dartmouth, development which erodes the visual separation of the settlement will not be supported.



Map 11 Settlement Boundary for Dartmouth lined in red, existing parish boundary lined blue . For a more detailed map refer to Appendix Map 11

6.2 Economy, jobs and training

6.2.1 Background

This plan acknowledges the key economic benefits provided by tourism, the Britannia Royal Naval College (BRNC) and related marine industries and seeks to support expansion and add value to these activities. The Plan also supports the careful expansion of the existing employment sites to maximise good job opportunities. The Plan promotes Dartmouth's marine, digital, design and marketing industries, and to have the best broadband links to compensate for its relatively isolated geographic location. The positive impact of seasonal activities such as festivals, events and visiting cruise ships are recognized in the Plan. The economic strategy of this plan sets out to exploit the town's key assets of river location, tourism venues and distinctive character to position Dartmouth as a unique and sustainable place to live, work, visit and learn in.

6.2.2 This Plan supports and expands on the employment policies of the adopted Development Plan including:-

Dev 14: Maintaining a flexible mix of employment sites

Dev 15: Supporting the Rural Economy;

Dev 18: Protecting local shops and services

Dev 19: Provision of local employment and skills

6.2.3 Bringing further vitality and greater viability to the town centre is supported by this plan together with diversifying the retail offer and adding value to the current retail activities. The plan must have regard not only to the daytime economy, but also to the nighttime economy, which are essential components in supporting the town centre and tourism industry and providing high quality jobs in hospitality and catering.

6.2.4 Tourism is and will remain a fundamental part of the local economy. However, increasing competition from elsewhere as well as the seasonal nature of tourism, means the plan must seek ways to enhance the value of its tourism offer throughout the year. The Dartmouth Visitor Centre provides a vital role in the town's tourism infrastructure, delivering helpful and knowledgeable face to face representation of the town's facilities and attractions. Tourism accommodation in Dartmouth comprises a mixture of family run hotels and guesthouses, self-catering accommodation including Airbnb's and a limited number of exclusive residential seafront and harbour-side apartments near the Dart Marina and within Lower Town. Appropriate support needs to be given to these as long as they do not operate to the detriment to their local neighbours and the wider community. Additional tourism development would not only contribute to the economy but may also offer excellent opportunities to re-use and protect older buildings, improve the public realm and increase employment. Dartmouth's tourism infrastructure should be enhanced to take into account modern visitor expectations and that the full potential of the town's cultural, environmental and social assets is realised. This plan supports the re-use of redundant buildings which may lend themselves well to adaptation and modernisation for tourism uses. The conversion and change of use of former hotel premises to secondary residential uses has been a major concern to the area and is not supported.

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Policy DNP EC1 Tourism related employment and retention of hotels

The change of use or redevelopment of a hotel and associated hospitality services to non-hotel use will generally not be supported. Such a change will only be supported provided that:-

- a) The proposed use would be compatible with the existing building and its surroundings and setting within the Dartmouth Conservation Area and South Devon AONB;
- b) No loss of hotel accommodation in the Parish or detriment to local employment will result;
- c) Demand for the hotel accommodation no longer exists. Where the loss of a hotel or tourism related site is justified as no longer viable the applicant must demonstrate through an independent assessment that the vacant unit has been actively marketed and offered at a reasonable sale price (comparable with valuations achieved elsewhere in the District) for a minimum period of 1 year.

Development may include; -

- d) Change of use to residential care or extra care which supports the Plan objectives to both provide employment and specialist affordable housing for the elderly.

6.2.5 Tourism is recognised in the HotSW LEP Strategic Economic Plan (SEP) 2014 to 2030 and the Development Plan as one of the highest economic drivers and core traditional sectors in the area. The SEP also recognises the challenge to extend the season and develop all year round tourism employment. The policy below sets out to encourage more innovation and diversification in the sector.

Policy DNP EC2 Promotion of innovative tourism businesses

This plan supports development that includes new, innovative and sustainable tourism related uses. Activities include but are not limited to; -

- a) Green, low carbon and sustainable tourism
- b) River and water based leisure activity;
- c) The research and development of technologies that support the marine leisure industry;
- d) Activities that link to the SW Coastal Path and cycle routes;
- e) Cycle and electric cycle hire supporting sustainable tourism and transport.

The proposed uses should be compatible with their surroundings and setting within the town, river, countryside and conserve and enhance the South Devon AONB.

6.2.6 Some employment locations in Townstal and on the periphery of the NP area suffer from poor environment / access with mixed quality buildings and environment and awkward layout, which tend not to attract inward investment and potentially restrict development and expansion and can cause negative customer impressions that can restrict competitiveness. There is a need to encourage and enable upgrading, intensification and enhancement of existing employment sites with poor environments / access. The lack of adequate storage on existing sites has also been identified as an issue in the local business survey (see Appendix K2).

6.2.7 The Business Survey undertaken for this Plan (see Appendix K2) identified a wish to see additional rental premises or that current premises can be more readily adapted for modern office based activity. There may be opportunities for development of existing buildings to achieve this whilst maintaining and enhancing the heritage and townscape value of the area. Office development in high quality accommodation adjacent to the main road network is more likely to be sustainable, providing occupants with easy access to a range of services and to public transport links. Providing new employment opportunities in the Townstal area would help to sustain retail and service businesses located there and provide quality employment opportunities.

Policy DNP EC3 Additional employment land and safeguarding of existing employment uses.

- a) The change of use of existing employment sites will only be supported in exceptional circumstances and in accordance with the provisions of Policy DEV14 of the JLP .
- b) Upgrading, intensification and enhancement of existing employment sites with poor environments and access is supported and in order for improvements to be considered on a comprehensive basis the development of a brief and masterplan should be prepared, in consultation with the Town Council. Proposals should reflect and respond to the agreed brief.

A model brief is included in the Appendix P1 for information.

- c) Provision of additional storage space on existing sites will be supported.

6.2.8 The existing business space in the town should be supported and retained in order to maintain and encourage Dartmouth’s local economy and ensure that people will have good opportunities for and access to high quality seasonal and permanent local employment. The loss of shops, restaurants and cafés to other uses particularly in the Primary Shopping Area for Dartmouth included in the JLP Supplementary Planning Document (2020) and the secondary area further South and illustrated in map 12 should be resisted due to their contribution to the local economy and community. Vacant space above shops in the town centre should be identified for commercial, business or residential use. The town has a relatively low vacancy rate shop premises in the town centre but not all property is of a size or quality to address some of the ‘community’ needs should someone wish to provide those

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services. A flexible approach should be adopted permitting appropriate properties to be subdivided to be converted into smaller retail units or start up units or small retail and exhibition space, if it can be shown that that is in line with market needs.

Policy DNP EC4 Support for the primary and secondary shopping area of Dartmouth

To protect the economic viability of the primary and secondary Shopping Areas illustrated in Map 12 proposals for business and retail uses (Use Class E) including restaurants and cafes will be supported. Where planning permission is required the change of use from Class E will not be supported other than where the existing use is no longer viable the applicant can demonstrate through an independent assessment that the vacant unit has been actively marketed and offered at a reasonable sale price (comparable with valuations achieved elsewhere in the District) for a minimum period of 1 year.

Subdivision of existing retail and business units will generally be supported.

At upper levels of the Primary and Secondary Shopping Area this plan supports development of flats over shops in vacant or under-used accommodation. Adequate parking must be provided in accordance with Plan Policy DNP ST2. Ancillary uses will be permitted providing they do not undermine the shopping and historic characteristics of the Conservation Area and the Primary Shopping Area. The amenity of existing uses should not be compromised with new development through noise, smells and congestion on pavements.



Map 12 Primary shopping area for Dartmouth JLP SPD 2020 (Appendix 4) lined in red with the secondary area identified by the community lined in blue.

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6.2.9 This plan supports business start-ups, the effect of the Covid pandemic may increase the demand to set up new businesses or relocate either in premises or working from home. Start-up businesses will require access to workspace on flexible, 'easy-in, easy-out' terms. The analysis in Appendix K2 indicates that Dartmouth can attract a reasonably well-qualified workforce. It is therefore important for the viability of the town to ensure that employment land and vacant / potential underused premises are retained and used to meet local needs for a provision of a range of types and sizes, including start-ups and micro businesses. This will also encourage younger people of working age to remain in the area rather than seeking work in the surrounding area or further afield.

Policy DNP EC5 Business start-ups and mixed use employment including living over the shop, and live work.

This plan supports the development of business start-up units within new and existing employment areas through the development of Brownfield sites and the upgrading of existing sites and the combination of employment and living accommodation, providing;-

- a) The development is in keeping with the scale of the surrounding residential area and other businesses;
- b) The new use will not have any detrimental impact on local residential amenities;
- c) Significant amounts of traffic and a need for parking will not be generated that cannot be adequately catered for by the existing infrastructure locally;
- d) The proposal will not have a harmful visual impact on the town or the adjacent open countryside.

6.2.10 For new employment uses to be successful it is important to be able to demonstrate the existence of a viable jobs market to encourage people who have left the area for further education and training to return. The HotSW LEP Strategic Economic Plan (SEP) 2014 to 2030 makes clear that broadening the employment base to support the bedrock sectors and diversification into further 'transformational' sectors has the potential to bring in some higher value employment opportunities to the plan area. To further opportunities in existing and emerging employment sectors this plan supports developing training links with Higher Education (HE) e.g. University of Plymouth or Further Education (FE) providers e.g. South Devon College.

6.2.11 There is a move towards pursuance of artisan skills with many individuals seeking a more sustainable approach to their work and to work closer to and with their customers. Whilst it may not immediately create many jobs, it is in tune with the desire of many people to relocate from urban areas and establish a more sustainable lifestyle. There is a critical marine based area on Old Mill Creek comprising high value boat building and repairing businesses This plan supports the development of local and rural skills to maintain them for future generations and the existing heritage and traditional skill based enterprises, notably in the marine sector, to develop skill training programmes and work to secure local employment opportunities.

Policy DNP EC6 Employment uses in the countryside

The conversion of redundant agricultural buildings, their expansion or development of new buildings for small-scale employment uses will be supported in principle within the countryside provided that; -

- a) The scale of employment use is appropriate to the accessibility of the site by public transport, cycling and standard of local highways;
- b) Proposals respect the character and qualities of the landscape and environment as outlined in Policy DNP GE1 and include effective mitigation measures to avoid adverse effects or minimise them to acceptable levels.

6.2.11 The loss of traditional and rural construction skills is a concern to the community. The plan supports working with local and national bodies to make sure these valuable traditional skills are not lost. The hospitality, rural construction and marine industries are evolving employment sectors, with a range of exciting career opportunities. All future development within the parish in these sectors should work with further education colleges including but not limited to South Devon College and Plymouth City College to ensure the greatest opportunities are afforded to local people.

6.2.12 Community aspiration; support for training links that reinforce the existing skills base and emerging new types of employment.

Opportunities for the development of employment uses that promote hospitality, tourism, event organisation/management, local traditional, marine and rural skills and safeguarding these for future generations will be encouraged.

The introduction of opportunities for new and emerging clean employment types that include but not limited to marine, technology, graphics, and digital, will also be encouraged.

Development proposals in the above sectors will be supported where they provide training facilities to improve the knowledge and skills of local people.

Development proposals that establish training links with the South West's universities and further/higher education facilities will also be supported.

6.3 Sustainable Transport, Infrastructure, and Connectivity

6.3.1 Background

Parking and public transport issues were within the top five issues raised in the community consultation survey of 2016 (see section 4.3). The key issues raised were:

- Localised “choke” points for vehicles, especially larger ones on the A3122.
- Narrow streets within the historic core of the Town causing conflict between vehicles and pedestrians.
- Delivery and utility vehicles impeding free flow of traffic and many narrow streets.
- Lack of parking spaces and garaging for a number of properties which affects the availability of on street public parking spaces.
- A view that there are insufficient parking spaces in the Town for visitors, residents, local businesses and their employees.
- The suitability and frequency of the seasonal Park and Ride service.
- Insufficient sustainable transport links between Townstal and the Lower Town.
- Access to the growing number of commercial and community facilities in the Upper Town, from Lower Town.
- The lack of a coordinated transport strategy for all those using the town, whether travelling by car or public transport.

These issues not only affect residents throughout the town, but also businesses, residents in the local catchment villages who rely on Dartmouth for shopping and facilities, and visitors, both day visitors and those using holiday accommodation. There is a seasonal variation, given Dartmouth’s importance as a tourist and holiday destination. This plan sets out to help solve the current problems of congestion and parking in the Lower Town. It also supports sustainable transport links between the Upper Town, where the bulk of new development is to be located, and the Lower Town.

6.3.2 A Transport Study

Transport challenges in the town are not new, in 2003 DCC commissioned transportation consultants, Parsons Brinckerhoff Ltd, to carry out a study. In the initial Issues report of June 2004 stated; -

“The major transport concerns within the town relate to parking and access and traffic calming and pedestrian areas. We would therefore recommend that potential schemes in these areas be considered as highest priority”

The full report is included in Appendix Q. The recommendations remain relevant today and in the context of this plan. However, they need an update in the light of new policy directions on transportation issues, in particular on sustainability, carbon reduction and the use of electric vehicles. Whilst a number of the minor recommendations have been implemented the report was not taken forward comprehensively by DCC, SHDC or the Town Council. In parallel with the plan process an updated transport study will be commissioned. The following recommendations that have not been taken forward will be revisited; -

- A Community Travel Plan to help communities take ownership of the issues.
- Respect for the latest Devon Local Transport Plan.
- Recommendations for parking respecting narrow streets and steep gradients with a large proportion of parking in Dartmouth is on-street, with only one full-time dedicated car park in the town.
- Relieving congestion in the town centre particularly around St Saviour's Church and the accident data reflects this.
- A joint parking strategy devised by the Town, District and County Councils. This should consider the current stock, the assessed need, the charging and permit policy for parking on and off street.
- A longer-term solution to Dartmouth's parking problems including a new car, bus and coach parking.
- Controlling excessive vehicle speeds across the Parish and within the town consideration of 20mph zones and other, physical, traffic calming measures.

6.3.3 Community aspiration; a transportation study for Dartmouth

It is an aspiration of the Plan that a sustainable solution be found early in the Plan period to manage and control traffic through the town and plan area. The Town Council will commission a Transport Study and work with the stakeholders listed below to achieve this. The Transportation study should update and refresh the recommendations 2004 Parsons Brinckerhoff Study, commissioned by Devon County Council. The brief for the study will be agreed in detail with Devon County Council, South Hams District Council and Dartmouth Town Council. In particular, the study will assess and propose measures in respect of the following; -

- a) The adequacy of existing public parking throughout both the Lower and Upper Town including the Park and Ride facility.
- b) Sites for accommodating further car, coach and bus parking areas should they be required.
- c) A set of parking management proposals to resolve the identified issues in the Lower Town.
- d) Measures to improve regular bus services linking the Lower Town with the Upper Town and with the Park and Ride, the proposed Health and Well Being Centre and adjoining commercial and residential proposed development.
- e) Measures to ensure regular and emergency transport is available for the whole parish to healthcare facilities within the Parish and to Primary Care Facilities in Totnes and Torbay.
- f) Enhancing the relationship between vehicle requirements and the historic and built environment in the Lower Town for the benefit of businesses, residents and visitors.
- g) Pedestrianisation and traffic calming in the centre of the Town.
- h) Traffic improvements to facilitate the safe crossing of the A379 by craft and users when launching and retrieving craft in the area of Coronation Park.

- i) Throughout, priority will be given to the introduction and provision of electric powered means of transportation.

The Study's proposals and recommendations will be the subject of a robust engagement and consultation strategy with the community.

6.3.4 Footpaths and cycleways

Public Rights of Way (PRoW), cycle paths and other routes that provide public access not only contribute to physical and mental health but encourage awareness of the natural environment and an appreciation of biodiversity, whilst offering a sustainable network of transport links within the community. The JLP policy SPT12 supports the protection of these routes and encourages their extension. In the JLP SPD para. 3.110 states *"There are opportunities to work creatively with landowners to improve connectivity, particularly linking new development sites to existing recreational areas, green spaces, PRoW and other recreational trails. Opportunities to increase, or improve, PRoW alongside new development, will be actively pursued"*. Strategy 11 within the MCTi report of 2004 sought *"to make the natural environment more accessible"* by proposing a number of additional footpaths. A list of existing PRoW, and "aspirational" extensions to existing routes which would enable circular walks or improve accessibility for existing routes are listed in Green Space, Environment and Community Table 4 and are shown in Map 6. The definitions, rights and restrictions of the 4 categories of PROW and other types of public access routes can be found on <https://www.devon.gov.uk/prow/what-are-public-rights-of-way>. A detailed audit of the Public Rights of Way and other paths listed in Table 4 is given in Appendix D. Maintenance of PRoW by DCC should be informed by a process which allows the notification of defects by members of the public and walking groups, such as the Dart Area Landscape Access Group (DALAG), via the website of DTC. Proposals for new footpaths, changes in existing PRoW, new surfaces and structures must follow due legal process and obtain consent of the landowners and the Highways Authority.

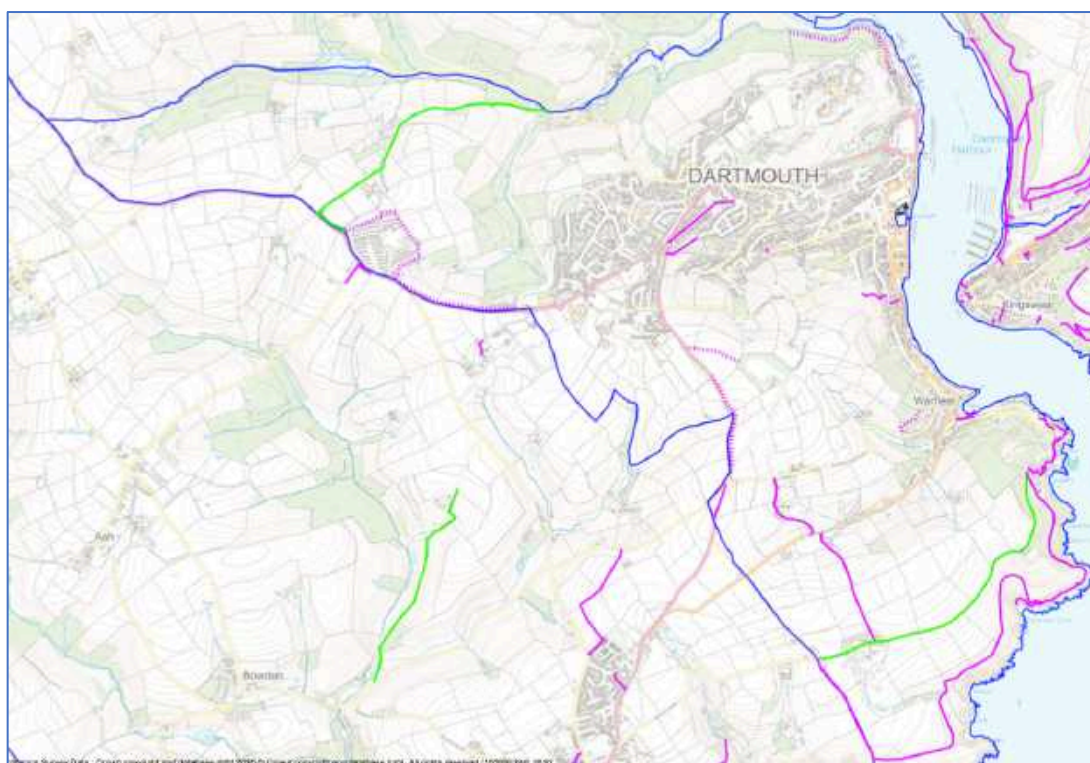
Policy DNP ST1: Footpaths and cycleways

The existing PRoW and other access routes to the natural environment of Dartmouth should be protected and enhanced. New development in the Plan area should, where possible, link to a safe footpath network that connects the Parish, and surrounding settlements, and the SW Coast Path. Where appropriate, opportunities to improve and extend the existing network will be sought as part of any development proposals. New and existing footpaths should:

- a) where appropriate and excluding the SW Coast Path promote their use as cycleways;
- b) in consultation with landowners introduce and help establish new routes which include completing the footpath links between Stoke Fleming and Dartmouth on the A379 and linking safely Dartmouth Academy, Jawbones and Crowthers Hill. The route is illustrated on Map 13.
- c) have durable surfacing and effective drainage;
- d) be easy to navigate with discreet signage;
- e) be accessible to those with special needs where feasible;
- f) facilitate the use of electric bikes with charging points at location agreed with Devon County Council;
- g) include improved footbridges and stiles where required.

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No new footpath, bridleway or multi access route should have a detrimental impact on wildlife habitats as outlined in the Wildlife Resource Map (Appendix E2) and any future revision. The existing footpath network is shown in Map 13.



Map 13 PRoW in the Parish lined in pink and green. Proposed extensions lined in pink dotted. Parish boundary lined in blue

6.3.5 Car Parking and Coach Parking

One of the most contentious aspects of land use in Dartmouth is parking facilities. It affects businesses, workers, residents and visitors alike because there is insufficient parking to satisfy all their needs. The problem is particularly severe in the Lower Town. Many properties have no off-street parking facilities. There is, also, little if any available land which might accommodate additional parking provision. These problems are accentuated by new development proposals on particular sites generating new vehicle movements and new/altered access arrangements, often affecting the historic core of the Lower Town. The presence of coach parking within the Parish is essential for bringing in visitors to the town and buses operating locally. The area identified off the A3122 and adjacent to the Park and Ride on Map 14 should be retained for this use. If the future Transport Study recommends amendments to the current arrangements for both the Park and Ride and Coach Parking this requirement will be reviewed in future versions of the Plan.

Policy DNP ST2: Car Parking and Coach Parking

a) Existing public car parking should be managed to support the functional sustainability of the town following the recommendations of the most recent DCC Transport Study (Appendices Q1 and Q2) or any replacement document. Where new development has impacts on public car parking these should be neutral or positive in terms of this requirement.

b) No development will be supported that causes the significant loss of public car parking. Should spaces be relocated there should be no material reduction in their convenience to the town and local centres unless it can be demonstrated that the parking is no longer needed due to changes in vehicle use.

c) Proposals which are likely to generate an increase in car, trailer and boat parking will not be supported, unless designed as part of an overall parking strategy within a development.

d) New residential development including sheltered housing must ensure there is no increase in on-street car parking.

e) Where achievable the indicative on-site parking standards set out in the JLP SPD (2020)⁷ should be met;

| | |
|--------------------|--|
| 1 bedroom | 1 space plus 1 space per 3 dwellings for visitors; |
| 2 bedrooms | 2 spaces; |
| 3 or more bedrooms | 3 spaces. |

This standard can be provided off site if such provision would be of greater overall benefit to the functional sustainability of the town and the development in question, and that off-site provision can be guaranteed as permanently available to the development.

f) Parking and charging facilities for electric vehicles, car club/pool vehicles and autonomous vehicles should take priority over petrol and diesel cars. Where new housing development can demonstrate a reduced need for parking due to the utilisation of car club/pool vehicles and autonomous vehicles this will be supported, provided that there are measures in place to support their use.

g) Provision for cycle, ebike, scooter, and motorcycle storage, parking and EV charging should be provided wherever appropriate.

h) New car parking proposals which adversely affect the setting of a development and surrounding landscape features will be discouraged.

i) The area shaded in Map 14 should be safeguarded for coach and bus parking. No other use will be supported unless other suitable locations for coach and bus parking can be found.

⁷ JLP SPD (2020) DEV 29.3 Table 30

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Map 14 Area safeguarded for Coach Parking shaded blue.

6.3.6 Broadband

Broadband coverage in the South Hams is falling behind the UK, out of 650 UK parliamentary constituencies, Totnes is ranked 608th for superfast coverage. Within South Hams superfast availability is 78%, compared to a UK average of 95%. In addition, gigabit availability is 18%, compared to the UK average of 36%. This is all exacerbated in large parts of the Plan area which also have poor mobile coverage, leaving some communities completely disconnected from vital online services. The combination of the National and Local Planning context provides adequate justification and evidence for the following policy. To address the rural digital connectivity gap new development will be expected to provide the required industry standard infrastructure to allow for the installation and maintenance of full fibre optic broadband. With broadband technology constantly improving and the continued goals of increasing speed, there is also a requirement to allow for the upgrade of current broadband with minimal disruption to customers.

DNP Inf1 Broadband Infrastructure

This Plan supports the provision of on site infrastructure for the installation of, and allow the future upgrade and maintenance of, fibre optic broadband technology.

- a) Developers are encouraged to submit a connectivity statement to set out the proposed broadband provision.
- b) New residential and non-residential development should, wherever possible include appropriate open access gigabit capable fibre optic infrastructure to enable high speed and reliable broadband connection in accordance with national and local objectives to increase coverage.
- c) The creation of a building to act as a fibre hub to enable fibre connections within the area will be supported.

6.4 Town (urban) Environment (heritage and town centre)

6.4.1 Background

The 2016 community survey responses expressed a desire to strengthen adherence to stricter design principles. There was particular concern about maintaining the character of the Town from inappropriate development, respecting the AONB setting and heritage, concerns regarding infill development, loss of gardens, overdevelopment, lack of parking.

6.4.2 Theme Objectives

- Supporting SHDC towards preparing a Conservation Management Plan for the Dartmouth Conservation area;
- Support design quality on development within and outside the conservation area;
- Identify and respect important views to and from the conservation area and the surrounding AONB;
- Work with the Environment Agency to understand the threats from climate change and risk of flooding of the town and conservation area;
- Ensuring heritage assets are put to viable uses consistent with their conservation;
- Preserve the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring;
- Ensure new development makes a positive contribution to local character and distinctiveness and respects the heritage of the town centre;
- Mapping and updating a record of heritage assets and non-heritage assets important to the character of the town environment;
- Ensure development around heritage assets respected in design, scale and density.

6.4.3 There may be opportunities for replacement dwellings and conversions and subdivision of plots within the town and settlement boundary. However, this will only be

supported if adequate parking can be provided as outlined in Policy DNP ST2. Any such development which is harmful to the character or appearance of the Dartmouth Conservation Area and the South Devon Area of Outstanding Natural Beauty will not be supported. There are several past examples within the Plan area where proposals to sub-divide plots would compromise the character of the town and the following policy adds clarity to the provisions of the JLP. Details of relevant applications since 2018 have been provided to the LPA, the majority of these were refused or withdrawn.

Policy DNP TE1–Subdivision of existing plots.

The subdivision of existing plots will only be supported where; -

- a) There is no loss to the character or environmental quality of the surroundings including the Conservation Area and South Devon AONB;
- b) The site is serviced by a suitable existing highway on one or more boundaries;
- c) The proposed plot sizes and dwelling sizes are in keeping with other building plots and dwelling sizes in the surrounding area;
- d) The amenity of adjoining properties is not compromised;
- e) Adequate amenity space provision is made creating useable private garden space for both the existing and proposed dwellings;
- f) The existing front building line, where appropriate, is maintained;
- g) There is adequate space for off street parking as outlined in Policy DNP ST2.
- h) The increase in hard surfaces and resultant surface water run-off is mitigated on-site and does not exacerbate habitat loss and flooding risks.

6.4.4 Past pressure for development and eroding design quality generally has had an adverse impact on the plan area and instilled a general lack of confidence of the proposals assessed through the planning system. Any new development in the plan area should be of the highest quality respecting national, local policy and guidelines including the National Design Guide (January 2021) JLP Policies Dev 20 to 22 and the JLP SPD 2020. All development should be commensurate with its sensitive natural and historic location. It should also contribute to the overall enhancement, improvement and resilience of the area. This applies to both new buildings and spaces and surface treatments. All new development and spaces must apply the Crime Prevention through Environmental Design (CPTED) attributes together with the practices and principles of Secured by Design⁸.

⁸ Secured by Design guidance including the key attributes of CPTED

<https://www.securedbydesign.com/guidance/design-guides>

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Policy DNP TE2: Design Quality throughout the Parish

Development proposals in Dartmouth Parish should demonstrate high quality design and will be supported where; -

- a) The design is locally distinctive, reflecting the appearance and character of the area in which the development is to be located. Innovative contemporary design solutions will be supported providing they do not have a detrimental effect on the overall appearance and character of the area.
- b) The height, scale and density of development reflects the existing grain, height, density and pattern of development in the surrounding area. The design should be in keeping with the site and its setting and respect the scale, character and siting of existing and surrounding buildings.
- c) Strategically important, sensitive and prominent schemes of all scales should be considered at an independent, bespoke Design Review Panel, such an approach is outlined in JLP SPD 2020.⁹ This is of particular importance where proposals impact on the South Devon AONB, Conservation Area and heritage assets.
- d) The external materials used should be locally distinctive, natural and where possible sourced within South Devon;
- e) Building setbacks reflect adjoining buildings;
- f) They incorporate the principles of sustainable and low carbon design as defined by this Plan and Development Plan Policy Dev 32;
- g) It has regard to the requirements of CPtED and ‘Secured by Design’ to minimise the likelihood and fear of crime and acts of anti-social and unacceptable behaviour and community conflict in the built environment;
- h) It reduces the dependence on the private car by supporting and connecting directly, where achievable to other more sustainable modes such as walking, cycling and public transport;
- i) It retains and protects, wherever possible existing trees, verges, stone walls and hedges in situ. Any lost trees or hedges should be replaced elsewhere on site. Any wall affected should be reinstated;
- j) It does not exacerbate flooding risks;
- k) Existing footpaths or public rights of way must be retained, or acceptable diversions agreed.
- l) There is a safe means of access to the site, that does not result in the unacceptable loss of natural features, or the need to provide excessive widening of local roads.
- m) Car parking is provided in accordance with Policy DNP ST2 of this Plan;
- n) The infrastructure needs of the development should where possible be in place prior to the commencement of the main development.

6.4.5 Heritage

This plan supports a positive strategy for the conservation and enjoyment of the historic environment of the town centre and wider parish, including heritage assets most at risk through neglect, decay or other threats. Maintaining and enhancing these features in a

⁹ JLP SPD 2020 paragraph 6.12

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progressive but sensitive way, so that it remains an attractive destination for residents and visitors alike, will be essential to the future prosperity of the Town. The community as a whole were invited to nominate buildings, structure and other features that they considered should be included on the list of local heritage assets whether designated or non-designated. Great weight shall be given to the conservation of both designated and non-designated heritage assets identified in appendices J1 and J2 Special regard shall be given to the merit of preserving the asset and its setting and any features of special architectural or historic interest which it possesses.

Policy DNP TE3 Safeguarding Designated and Non-Designated heritage assets and the conservation area of Dartmouth

All proposals in the Dartmouth conservation area and in the vicinity of Designated and Non-Designated Heritage Assets must comply fully with National planning policy and the Development Plan relating to the Historic Environment and;-

a) Respect and enhance the Dartmouth Conservation Area and make a positive contribution to the heritage assets and their setting. Have regard to the Dartmouth Conservation Area Appraisal January 2013 including the four extensions to the area. All proposals must give due regard to one of the ten character areas listed below within which the proposal sits. The prevalent traditional materials, finishes and typical building forms outlined in the appraisal should also be respected.

b) Give due regard to the asset and demonstrate an awareness of the Devon Historic Coastal and Market Towns survey (DHCMTS) and the Historic Urban Character Areas (HUCA) for Dartmouth produced by Devon County Council and English Heritage which is included as Appendix J3. Due consideration should be given to the historic character of the area within which a proposal sits.

c) Where relevant, include design features such as setbacks, stone or render walls and roof details that reflect the character and appearance of the surrounding buildings. For extensions, new doors, windows and roofing materials should be of a similar appearance to those used in the construction of the exterior of the original building.

d) Proposals that directly or indirectly affect the significance of Designated Heritage Assets included in Appendix J2 and the following Non-Designated Heritage assets and described in Appendix J1 <https://dartmouthplan.org/wp-content/uploads/2021/07/J1-Local-Non-Designated-Heritage-Assets.pdf> and illustrated in Map 15 should be judged according to the scale of any harm or loss and the significance of the asset to the parish. Heritage assets that should inform development include archaeological features and historic field boundaries.

- LHA1 Telephone Box, Victoria Road
- LHA2 Dartmouth Lower Ferry Landing Slip
- LHA3 Dartmouth Visitor Centre
- LHA4 Pony hoops, Crowthers Hill
- LHA5 Former Norton Heliport Control Tower

- LHA6 Water tower, Jawbones Hill
- LHA7 The Armada Memorial Beacon, Jawbones Hill
- LHA8 Crosby Meadow
- LHA9 Historic walls of Dartmouth in various locations (see Map 15)
- LHA10 Coombe Recreation Ground, Coronation Park
- LHA11 Dartmouth Cottage Hospital





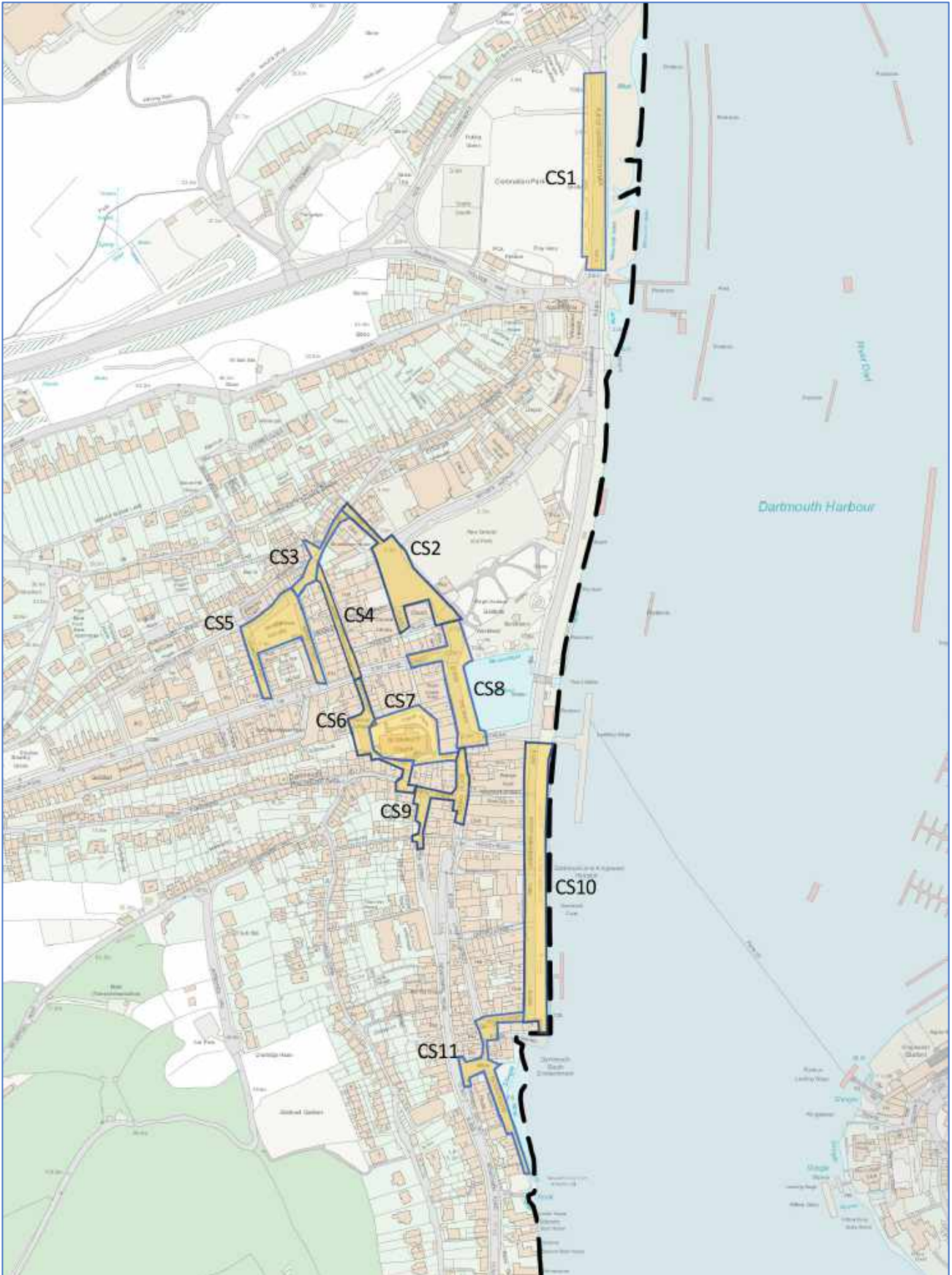
Map 15 Non-Designated or Local Heritage Assets
Shaded orange or as shown

| Character Area | Location |
|----------------|--|
| 1 | Clarence Hill, Clarence Street, Undercliff, Broadstone and Newport Street |
| 2 | Foss Street, Flavel Street, Union Street, Duke Street, Flavel Place, Anzac Street, Church Close, and Foss Slip |
| 3 | South Embankment, The Quay, Spithead, Hauley Road, Mansion House Street, Oxford Street, Lower Street, Giles Court, and Bayards Cove, |
| 4 | Market Square, Market Street, Charles Street, Ivy Lane, Lake Street, Victoria Place, and Victoria Road |
| 5 | Crowthers Hill, Smith Street, Higher Street, Fairfax Place, and Above Town |
| 6 | Newcomen Road and Southtown |
| Extension 1 | Ridge Hill, part of the Community Orchard and Mount Boone Lane |
| Extension 2 | Victoria Road and Southford Road |
| Extension 3 | Coronation Park |
| Extension 4 | The southern part of Southtown and Above Town and Warfleet Road |

Dartmouth Conservation Area Character Areas, -Source Dartmouth Conservation Area Appraisal January 2013

6.4.6 Civic Spaces, Public Realm and Townscape

This plan sets out to respect, protect and enhance the civic spaces of the town, creating positive places which contribute to people’s quality of life, engender local pride and attract visitors. These spaces identified in the Conservation Area appraisal provide a setting for civic buildings, areas for public events, markets and busy thoroughfares. Civic areas identified in the plan are highlighted in yellow in Map 16. Civic spaces should encourage social Interaction and delivering health and wellbeing benefits. Civic spaces are important and the character and quality of them support the civic pride of the town.



Map 16 Location of Civic Spaces(CS) marked in yellow

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Policy DNP TE4; Respect, protection and enhancement of civic spaces

The following spaces illustrated in map 16 and Appendix R1 are identified as civic spaces within Dartmouth; -

- CS1 Rue de Courseulles Sur Mer/ Coronation Park Riverside
- CS2 Flavel Place / The Quay
- CS3 Bottom of Brown's Hill / Foss Street
- CS4 Foss Street
- CS5 Market Square
- CS6 Anzac Street
- CS7 St. Saviour's Church (areas to the North, West and South sides)
- CS8 The Quay/Boatfloat
- CS9 Pillory Square (Higher Street/ Smith Street)
- CS10 South Embankment
- CS11 Bayards Cove/ Coles Court

All development in the vicinity of these civic spaces should where appropriate; -

- a) Respect, protect and enhance the physical qualities of the space expressed in the Conservation Area appraisal 2013 and the Historic Urban Character areas of the Devon Historic Coastal and Market Towns Survey for Dartmouth 2016.
- b) Support community uses in the space, which can include but not limited to;-
 - External seating areas;
 - Shared surfaces for vehicles and pedestrians;
 - Pedestrian priority;
 - Improved public realm including soft landscaping, street furniture, durable and sustainable paving surfaces;
 - Public art.
- c) Facilitate greater economic activity in the spaces through external seating, events, dining and temporary 'pop up' uses.
- d) Support active street frontages to attract social interaction and facilitate natural surveillance and the prevention of crime.
- e) Facilitate clear, safe and legible public routes.
- f) Support pedestrianisation on a temporary or permanent basis as and when appropriate.
- g) Facilitate litter and recycling facilities within the spaces.

- h) Any loss of car parking spaces within the civic spaces should be re-provided elsewhere within the town and respect the provisions of Policy DNP ST2.

The plan also supports the introduction of new civic spaces within new residential areas that should also respect the above qualities.

6.4.7 Brownfield Land

A core principle of the NPPF is to “encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value”. The plan area’s rich heritage, need for affordable housing, and employment space and the natural landscape constraints make the reuse of brownfield land an essential part of the delivery of new sites for development. While it is acknowledged that not all brownfield land is suitable for development, latest statistics from the Homes and Communities Agency indicate an estimated 61,920ha of brownfield land in England. Of this, 54% is derelict or vacant, while the remainder is in use but with potential for redevelopment. DCLG figures (2010) suggest that approximately 35,000ha is considered suitable for housing. The Campaign for Rural England Housing Foresight Report (2014) suggested that brownfield land has the capacity to support over 1.8 million new homes. However, despite the identified high housing capacity, the most recent government figures have shown a decline in the proportion of dwellings delivered on brownfield land. The Housing Needs assessment (Appendix N) recognises the need for affordable housing and more provision for the elderly in Lower Town. The re-development of brownfield land in Lower Town will help address the housing needs of the area and supporting community facilities over the plan period above the JLP allocations for the Dartmouth area. It is recognised that a number of the brownfield sites are at risk of flooding in Flood Zones 2 and 3 (see map 10). Housing development should be directed towards the sites and levels at lowest risk of flooding. Any development proposals considered necessary within the floodplain to achieve the wider sustainability benefits must acknowledge the risks and be fully justified.

Policy. DNP TE5 Brownfield first

This Plan supports prioritising the development of brownfield sites before greenfield sites, other than those allocated in the JLP. This strategy complements the greenfield sites allocated in the JLP whilst seeking to minimise further encroachment on the open countryside and the AONB. Proposals for the redevelopment of brownfield land will be prioritised unless there is proven demand that cannot be met by the brownfield-first approach.

As stated in policy DNP EC3 changes of use resulting in the loss of employment land to the plan area will not be supported.

The conversion of existing buildings is also subject to the other policies of this plan. Priority will be given to new uses that provide maximum community benefit and are appropriate for the site in terms of accessibility and minimum traffic generation.

Proposals for brownfield sites with existing buildings should be brought forward on a comprehensive basis. Applicants are encouraged to prepare a development brief in consultation with the Town Council.

Re-development of brownfield sites should be subject to a comprehensive survey of existing heritage assets and must avoid harm to these assets and protect and enhance the historic environment as set out in national and local policy.

Proposals for the re-development of previously developed sites must comply fully with national policy and guidance and the Development Plan having particular regard to managing flood risk and water quality.

6.5 Housing and homes

6.5.1 Background

There were two main housing concerns and re-occurring themes taken from the Dartmouth 2016 community survey:

- The need for more affordable housing for local people especially the young;
- Restrictions on second homes and to introduce a Principal Residence requirement to control the further development.

6.5.2 The problem of affordability in Dartmouth has been exacerbated by the increasing purchase of the existing housing stock for second homes and holiday lets especially in the lower town. Second homes have increased house prices beyond the means of local people, particularly the young, resulting in them moving to the further extents of Dartmouth or out of parish altogether. In 2020 50% of house sales were to purchasers for holiday lets or second homes (Source: Local Estate Agents).

6.5.3 In view of the challenges of affordability of homes for all ages in the plan area and those associated with an older population a Housing Needs Assessment (HNA) was commissioned in 2021 from consultants AECOM. The full HNA is included in Appendix N and a summary of the key recommendations included below. The recommendations of the HNA are reflected in the housing policies of this Plan.

Housing Needs Assessment 2021 AECOM Consultants

1. Dartmouth's current tenure mix exhibits a lower rate of home ownership than South Hams and England, correspondingly more social renting and similar amounts of private renting and shared ownership. There is an opportunity to lift rates of home ownership in Upper Town, including through affordable routes to ownership, and to address the undersupply of social rented accommodation in Lower Town.
2. The development at Cotton Farm is planned to deliver 89 affordable homes, of which 50% or 45 units will be for affordable rent. The other allocated site at Noss will provide a financial contribution in lieu of onsite provision, which may eventually be collected by Kingswear or Dartmouth. This quantity of expected delivery will go some way towards meeting the needs of Dartmouth households, although it leaves a shortfall of approximately 40 units – a conservative figure that does not take into account the tendency of local households in need to be ineligible or not apply, nor the mismatch between the need and supply of affordable rented homes by size. **There is therefore a clear case to maximise the delivery of affordable rented housing in Dartmouth wherever possible, as part of Section 106 obligations on allocated sites and any potential community-led or exception schemes.** The estimate of potential demand for affordable housing for sale is in the region of **25 homes per annum** however there is no policy or legal obligation on the part either of the Local Authority or Neighbourhood Plan to meet such needs in full.
3. Between the 2001 and 2011 Censuses, Upper Town experienced a significant 134% increase in private renting. This trend, which exceeds the pattern nationwide, is often an indicator of the declining affordability of home ownership. While rates of private renting are not especially low in Dartmouth, high-quality and affordable private renting can perform an important function in the market for key workers, young households, and others.
4. Home values in Dartmouth have increased over the last ten years, with the result that the median home now costs around £55,000 more than in 2011. The current median house price is £335,000 for Dartmouth as a whole, the median is £185,000 in Upper Town and £430,000 in Lower Town.

5. There is evidence of intense competition for rental properties in Dartmouth. The speed at which new lettings are taken up, being a signal of demand outstripping supply, is closely associated with price increases. However, it also presents a broader problem: even if rents were to be affordable, there may simply not be enough rented housing to meet local needs.

6. There is a relatively large group of households in Dartmouth who may be able to afford to rent privately but cannot afford home ownership. They are typically earning between around £21,000 per year (at which point entry-level rents become affordable) and £41,000 (at which point entry-level market sale homes become affordable – in Upper Town only). This ‘can rent, can’t buy’ cohort may benefit from the range of affordable home ownership products such as First Homes and shared ownership. These products would provide value to different segments of the local population, **with shared ownership (25%)** and rent to buy potentially allowing lower earning households to get a foot on the housing ladder, while First Homes – **which should be delivered at the maximum possible discount level of 50%** – provides better long-term support to those with slightly higher incomes.

7. For Dartmouth as a whole the demographic mix is imbalanced in favour of older households (when compared to the district and country). Therefore, to attain greater balance between population age brackets, **an intervention would be needed to favour the dwelling sizes preferred by younger people**. these are homes with fewer bedrooms. As such, the recommended mix might be balanced out to promote more smaller properties (chiefly those with 2 bedrooms since 1 bedroom homes are well supplied already). To a degree, the balance could be achieved through greater circulation of Dartmouth households between Upper and Lower Town, rather than through new construction. While this is not a matter the Neighbourhood Plan can directly control, any efforts to dissolve the affordability barrier between the two areas or to provide diversity by directing larger homes to Upper Town and more affordable options to Lower Town, could be beneficial.

8. While it is certainly the case that many older households wish to under-occupy their homes in order to accommodate guests and possessions, and will have the financial capability to do so, there may also be an **opportunity to improve Dartmouth’s offering to older households through new developments aimed at downsizers with well thought-out, adaptable and high-quality designs**. The HNA suggests that **focusing the provision and adaptation of age-friendly housing in Lower Town** would best serve the local population and avoid moves away from existing social and support networks, it also states that there is also an opportunity to create more balanced communities by delivering such housing in Upper Town to encourage circulation of age groups between the two areas.

9. While the serious and worsening challenge of housing affordability can be combatted through the provision of subsidised tenures, the affordability of market housing can be generally improved by **delivering smaller and/or denser housing types**.

10. The potential need for specialist housing with some form of **additional care for older people is estimated at a range of 98 to 126 specialist accommodation units during the Plan period**. These estimates are based on the projected growth of the older population, thereby assuming that today’s older households are already well accommodated. **The need for sheltered housing may be the focus of any additional provision in the area beyond the existing allocations**. That said, this need is by definition driven by those with less severe support needs, which have the potential to be met through adaptations to the existing housing stock. Another avenue is to require **standards of accessibility and adaptability in new development to be met at more ambitious levels than those mandated in the JLP**.

6.5.4 There is evidence of housing need for the elderly, especially Extra Care Housing (ECH), this is provided in the Extra Care Housing Study commissioned by Devon County Council (2009) and refreshed in August 2015 (included in Appendix H1).

6.5.5 This plan sets out to help redress the historic imbalance of housing provision locally. This is expressed and supported in Policy Dev 8 and paragraph 4.11 for Thriving Towns and Villages in the JLP SPD adopted July 2020.

6.5.6 This plan supports the provision of First Homes for young families. In the Government's response to the 2020 consultation on First Homes, they said;

'Yet we acknowledge that in some parts of the country where property prices are very high a 30% discount (for First Homes) may not be sufficient to make homes affordable LPAs will therefore be able to require a higher minimum discount of either 40% or 50% on First Homes built in their local area, provided they are able to evidence the need for and viability of homes at this higher discount rate through the local plan making process.'

6.5.7 SHDC advise that they would be seeking, subject to viability a higher First Home discount in parts of the district where property prices are very high, such as Dartmouth, Salcombe, Newton & Noss. The District's Affordable housing team support higher discounts be included in Neighbourhood Plans.

6.5.8 Planned housing development

Taken together, Dartmouth (JLP TTV4) and Noss (JLP TTV5) provide 576 new homes, providing a varied mix of dwelling types, size, and tenures. It is, therefore, not the intention of this plan to consider or support any additional sites other than the support for infill development and delivery of affordable homes through rural exception sites.

Policy DNP H1 - Market Housing

The principle of new market housing on infill sites is supported within the settlement boundary. In addition, market housing forming part of an exception site as set out in Policy DNP H2 where it is required to cross subsidise the affordable housing scheme will be supported. All development should meet the following requirements; -

- a) The housing should respond to local housing needs in terms of type, size, and tenure.
- b) Consideration should be given to provision of places for housing for the increasing number of older people in the parish in the form of market sale sheltered, specialist accommodation, extra care, or assisted living housing. By further consideration of older people this Plan also supports opportunities for existing residents to downsize and make more larger units available to the market.
- c) Higher standards of accessibility, adaptability and for wheelchair users should be considered beyond the JLP as evidence by the 2021 Housing Needs Assessment prepared for this Plan.

6.5.9 Affordable Housing

The need for affordable housing was a common theme expressed in the 2016 public survey. South Hams is generally an expensive area with a combination of high house prices and low earnings. This plan will support the delivery of housing, which provides homes for local people, which is truly affordable whether for rent or purchase, delivered through existing allocated sites within the JLP and or Rural Exception sites. There is a particular necessity to provide suitable housing for young people to ensure key workers can live and work in Dartmouth to ensure the viability of the local economy. In 2021 141 households registered on Devon Home Choice who have a postal address of Dartmouth. 30 households are considered to have a high or medium need.

| Bedroom Need | Band B High Housing Need | Band C Medium Housing Need | Band D Low Housing Need | Band E No Housing Need | Total |
|--------------|-----------------------------|-------------------------------|----------------------------|---------------------------|------------|
| 1B | 9 | 2 | 40 | 31 | |
| 2B | 2 | 6 | 4 | 28 | |
| 3B | 1 | 5 | 1 | 7 | |
| 4B | 3 | 1 | 0 | 0 | |
| 6B | 1 | 0 | 0 | 0 | |
| Total | 16 | 14 | 45 | 66 | 141 |

Source: SHDC Housing Specialist May 2021
South Hams District Council

6.5.10 There may well be more people than this in need of affordable housing in Dartmouth, not everyone is registered on the Council's housing waiting list. The principal affordable housing provision for Dartmouth would rely on the Cotton Farm development, out of the total of 450 dwellings this is total of 89 affordable houses and apartments. The provision of affordable housing is divided into two tenures: 50% Affordable Rent (max 80% of local market rents) 50% Intermediate (Discount market houses or shared ownership) The mix of dwellings will be:

| Mix of affordable housing at Cotton Farm | | | |
|--|-----------|--|------------|
| | nos | | % |
| 1 bed | 13 | | 15 |
| 2 bed | 40 | | 45 |
| 3 bed | 27 | | 30 |
| 4bed | 9 | | 10 |
| Totals | 89 | | 100 |

6.5.11 The rate of delivery at Cotton (market and affordable housing) although this is subject to change is as follows:

| Predicted rate of delivery (market and affordable housing) at Cotton Farm | | | | | | |
|--|------|------|------|------|---------|--------------|
| Year | 2021 | 2022 | 2023 | 2024 | 2025-34 | |
| No of Dwellings | 15 | 40 | 40 | 50 | 305 | 450 |
| | | | | | | Total |

The first Phase of 116 dwellings will be front loaded with 30% affordable housing consisting of 1 and 2 bed apartments and 2 and 3 bed houses.

6.5.12 The affordable provision at Noss is by way of a Section 106 contribution, SHDC have confirmed that the monies may be allocated to Dartmouth or Kingswear as a contribution towards affordable housing and that this is the expectation of the Town Council.

6.5.13 At present there is an immediate shortfall of supply and mix of dwellings set against the households registered on Devon Home Choice. The provision of affordable housing at Cotton, which has been agreed with SHDC in terms of provision and mix will be over a number of years. Clearly, the pressure to provide more affordable housing in Dartmouth will not abate in the future. The Dartmouth Neighbourhood Plan would support Exception Sites and Community led projects to provide more affordable housing.

Policy DNP H2- Exception Sites outside the settlement boundary

The use of Exception Sites adjoining the settlement boundary to deliver affordable housing will be supported where they comply with National and Development Plan policy and the policies of this plan. A site will only be supported if; -

- a) It meets a proven need for affordable housing for local people.
- b) The proposal reflects the character and scale of the parish and would be physically integrated with it in terms of design, scale, and pedestrian access.
- c) The proposal conserves and enhances the landscape, scenic and natural beauty of the AONB and the design is in conformity with the latest South Devon AONB Management Plan and AONB Planning Guidance.

Cross subsidy through the provision of open market housing on the scheme will only be supported where it ensures the delivery of the affordable housing and should be the minimum number of open market dwellings necessary to ensure the delivery of affordable housing as part of the same development proposal, to be demonstrated by a viability appraisal of the full scheme.

Policy DNP H3 Affordable Housing.

Proposals for affordable housing development within the settlement boundary or as exception sites will be supported where; -

- a) The number of affordable homes to be delivered is in line with the need as defined by Devon Homes Choice, the local affordable housing register or up to date Local Housing Needs Assessment in place at the time and where a need has been identified, this includes custom and self-build plots where feasible.
- b) Affordability is determined with consideration of the particular circumstances of Dartmouth, namely high average property prices and low salaries.
- c) The range and size of dwellings especially single bed units is in line with the need as defined by Devon Homes Choice or the local affordable housing register or Local Housing Needs Assessment register in place at the time.
- d) Discounted 'First Homes' for young families shall be provided in line with National policy and guidance. Discounts should be 50% on the new home price to ensure First Homes are affordable to local incomes, subject to viability.
- e) Homes should be occupied by people with a demonstrable local connection to the Parish which is defined within the SHDC Adopted Local Allocation Policy (2017). The early and urgent needs of key workers including teachers, healthcare workers, fire brigade and lifeboat crew should be considered exceptional circumstances under the provisions of the allocation policy.
- f) Affordable housing for sale is subject to a legal restriction to ensure the homes remain affordable and that the discount is maintained in perpetuity.
- g) Development in or within the visual impact of the AONB conserves and enhances the landscape, scenic and natural beauty of the AONB and the design is in compliance with the latest South Devon AONB Management Plan and AONB Planning Guidance.

Such developments could include proposals for Community Led Housing.

6.5.14 Second Homes

Dartmouth is a desirable holiday destination. As with many other coastal locations, there has been an increase in the purchase of the housing stock for second homes and holiday lets increasing house prices and displacing local people, especially the young. The survey of the local community carried out in 2016 raised concerns about the impact second homes on the balance and viability of home ownership, house prices and the effect on the community. Many of the responses of the survey asked for restrictions on second homes and to devise a Principal Residence Policy to control the further development of second homes.

6.5.15 A survey was carried out by the plan group of existing residential properties in the parish and a review of data held within the census, valuation records, electoral role and properties registered as businesses, this is included as Appendix H2 This survey indicates that in 2020 Dartmouth has a significantly higher number of second homes than in 2010. In 2011 it was 22.6% which was already above the 20% threshold commonly used as a benchmark figure in relation to the inclusion of a principal residence provision in a plan. At the end of November 2020, it stands at 37.8%. The survey also indicated that in Lower Town the number of second homes is far higher than the average and is in the region of 51.2% The river or sea views and level walks to tourist related facilities in this area make it area particularly attractive for second home owners and holiday lettings.

6.5.16 The policy below will support the housing needs of local people and bring greater balance and mixture to the local housing market and create new opportunities for people to live and work here and strengthen the community and local economy. This policy applies to all new build development both allocated and windfall sites where open market housing is proposed within the plan area.

6.5.17 SHDC supports in principle the inclusion of a Principal Residence Requirement within Neighbourhood Plans where such a requirement is justified. In response to the question from the JLP Examination Inspectors whether ‘a restriction on the use of new dwellings as holiday homes was justified in the South Hams?’ ‘JLP Council’s response was as follows: ¹⁰

8.94 The number of homes not used as primary residence is particularly high in the South Hams part of the TTV. Both South Hams and West Devon received a substantial sum of money to deliver more affordable homes through the Community Housing Fund in recognition of this. Evidence also exists of in HO3, HO9, TP3, SHMA and CTB1 (council tax reports) and the Strategic Housing Market Assessment Part 1: The Housing Market Area and Updating the Objectively Assessed Need (HO13).

8.95 At this time it is considered that the appropriate mechanism to bring such a policy forward is a Neighbourhood Plan. It is through NO (sic) that the above District / Borough wide evidence can be reviewed, analysed and supplemented with a view to informing the need, justification and effectiveness of a restrictive policy.

8.96 To this end the Council (South Hams) resolution of 15 December 2016 stated that ‘this Council notes the ruling of the High Court (Case No: CO/2241/2016) in support of a housing policy known as ‘H2. Full Time Principal Residence Requirement’ as set out in St Ives Area Neighbourhood Development Plan and which provides that: ‘New second homes and holiday lets will not be permitted at any time ...’ and ‘supports Town and Parish Councils within the South Hams District to adopt similar policies in their own Neighbourhood Development Plan’

¹⁰ ¹⁰PSWDJLP Examination Hearing Statement Matter 8 Question 8.5(vi)

<https://www.plymouth.gov.uk/sites/default/files/JLPCouncilsResponseMatter8PolicyAreaStrategiesThrivingTownsVillages.pdf>

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Policy DNP H4 - Principal Residence

Due to the impact upon the local housing market, economy, and community of second or holiday homes, new open market housing, excluding replacement dwellings, will only be supported where there is a restriction to ensure its occupancy as a principal residence guaranteed through a planning condition or legal agreement. This policy applies to all new build development both allocated and windfall sites where open market housing is proposed and conversion of existing buildings within the Neighbourhood Plan Area.

Principal residence is defined as one occupied as the residents' sole or main residence, where the residents spend the majority 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 will be obliged to provide this proof if and when SHDC requests this information. Proof of Principal Residence includes but is not limited to residents being registered on the local electoral register and being registered for and attending local services including healthcare, and schools.

A replacement dwelling is defined as a single new build dwelling replacing an existing dwelling of equivalent size and design as the original dwelling.

New unrestricted market homes will not be supported at any time.

6.5.18 Housing for Older People

Dartmouth has an ageing population increasingly living alone. The 2011 census indicated 35% of the total Dartmouth parish population was over 60 years of age and this trend is rising. There is a growing demand for smaller dwellings for older people who wish to downsize or require to maintain their independence but with assisted living. This plan does not support the loss of any existing homes for older people and supports new assisted living schemes, residential care and nursing homes. The Cotton development is in negotiation to provide an assisted living scheme of approximately 55 apartments, this is welcome but may not address the full need for the plan period. Many older households wish to under-occupy their homes in order to accommodate guests and possessions and will have the financial capability to do so. This Plan sets out to improve Dartmouth's offering to older households through new developments aimed at downsizers with well thought-out, adaptable and high-quality designs.

6.5.19 The Dartmouth Housing Needs Assessment 2021 (HNA) included in Appendix N Supports the need for specialist housing with some form of additional care for older people which is estimated at a range of 98 to 126 specialist accommodation units of older people during the Plan period. The need for sheltered housing may be the focus of any additional provision in the area beyond the existing allocations. This need is by definition driven by those with less severe support needs, which also have the potential to be met through adaptations to the existing housing stock.

6.5.20 Another recommendation of the HNA is to require standards of accessibility and adaptability in new development to be met at more ambitious levels than those mandated in the JLP. Policy DEV9 requires that at least 20% of dwellings on schemes of 5 or more dwellings should meet national standards for accessibility and adaptability (Category M4(2)), and at least 2% of dwellings on schemes of 50 or more dwellings should meet national standard for wheelchair users (Category M4(3)). The evidence gathered in the HNA justifies seeking a higher target in Dartmouth where viable.

Policy DNP H5 Specialist Accommodation for Older People, Residential Care Nursing Homes and loss of Existing Residential Care.

a) Additional Specialist Residential care provision will be supported in the Plan area. This should be provided with reference to up-to-date evidence of need (including the Dartmouth Housing Needs Assessment 2021 (HNA)) The provision may comprise; -

- Extra Care
- Sheltered Housing
- Affordable Specialist Accommodation
- Market Specialist Accommodation

b) Loss of existing residential care and nursing homes for older people

The change of use or redevelopment of a care home or nursing home will only be supported where there is a proven absence of demand for the continuation of the use and the site has been marketed effectively for such use over a period of at least 12 months. In circumstances where the loss of an existing care home or nursing home is supported in principle, the site should be considered for an alternative provision for the elderly if viable, such as the provision of dwellings specifically designed for the elderly, and subject to an occupancy restriction to ensure that the dwellings are used for this purpose in perpetuity.

c) Proposals for new development for older people (which may form part of developments of mixed ages and tenures) should comply with all the other housing policies of this plan and should be on previously developed land or sites within the settlement boundary, within easy access to local centres and meet the other policies of the plan, including those relating to design quality. Any new development should ensure that the appearance and character of the town or surrounding countryside are not harmed.

d) Design Standards for Specialist Accommodation for older people

Where viable the access standards should exceed the provisions of JLP Policy DEV9 against national standards for accessibility and adaptability (Category M4(2)), and for wheelchair users (Category M4(3)).

6.6 Health and Wellbeing

6.6.1 Background

JLP Strategic Objective SO6 promotes: *“school, health, and recreation facilities of a high quality in order to reinforce strong communities.”*

6.6.2 Health Facilities

Health facilities in the plan area will need to enable the delivery of services to meet the needs of the expected increase in population over the plan period including the new West Dart neighbourhood. In addition, the latest available estimates published by the Devon and Wellbeing Organisation in its Joint Strategic Needs Assessment for Dartmouth carried out in 2013/14 concluded that between the 2011 Census and 2020 the number of people 85 and over in Dartmouth would increase by 49.6%. A subsequent report of 2017 noted that Dartmouth had one of the fastest ageing demographics in Devon but did not have specific statistics for the town separately. It concluded that overall numbers over 85 in the whole of Devon would increase from 28100 in 2017 to 61500 by 2039. With a projection of a 118% increase there will be increased health and social care need across Devon. Dartmouth, having a high proportion of more elderly residents is likely to have higher levels of demand than other towns.

To meet the growing demand within human resource and financial constraints the NHS at national, system (Devon) and local level are developing Long Term Plans for the way in which services are delivered. Following its creation as the country’s first integrated care Trust, TSDNHSFT has pursued a care model which aims to provide more services close to people’s homes and in their communities. Following a consultation led by South Devon CCG, the Dartmouth Cottage Hospital closed in 2017 and a new H&WC was proposed which is currently under construction in Upper Town which is: due for completion late summer 2022. While the loss of the Cottage Hospital is keenly felt in some sections of the community, the new H&WC will bring together primary, secondary, and voluntary health services in a modern facility enabling greater integration of care. The new facility; -

- Allows space for future expansion in line with the planned population growth at Little Cotton Farm and the ageing demographic of the plan area;
- Ensures good access by car and public transport as a result of parking provision and existing and potential improved bus links between Lower and Upper Town;
- Improves access for that part of the community in greatest economic and social need thereby helping to address health inequalities.

The relocation of facilities and services from the Lower Town to the Upper Town is a source of concern locally, particularly given the older profile of residents in the Lower Town. Access to urgent and emergency care is a particular concern for residents given the relative inaccessibility of the town and the additional numbers of visitors in the tourist season. Currently the Dartmouth GP practice is commissioned to provide a limited service which is not well publicised. Devon CCG is currently undertaking a review of minor injury provision across its footprint which might address such concerns.

The relocation of services within the plan area means that the former hospital is now surplus to the Trust's requirements. Indeed, its disposal forms part of the funding package agreed for the new H&WC. At the current time there are no firm proposals for the future of Dartmouth Clinic at Zion Place which may be retained to support new ways of working in a post pandemic world.

There is an expectation within the local community that the redevelopment/reuse of former health facilities should address community needs. This might be provision of affordable and/or key worker housing or other possible community uses such as a first aid facility, community creche and meeting place. A recent (late 2021) survey of local views commissioned by TSDNHSFT and Dartmouth Town Council and undertaken by independent body, Healthwatch, has sought community input on possible future uses for the hospital building including these options. The results of this survey will be posted on the Dartmouth Neighbourhood Plan website when the information is released by the TSDNHSFT.

The TSDNHSFT is committed to work closely with the local community to unlock 'social value' from the former hospital site. The Trust's preferred approach is for a community bid led by Dartmouth Town Council for the site providing that this meets its financial and fiduciary responsibilities. Those responsibilities include the planned use of receipts from the disposal of the hospital to part fund the H&WC as a 21st century facility to serve the health needs of Dartmouth and surrounding villages. Only if no acceptable community bid is forthcoming within agreed timescales will TSDNHSFT proceed with an open market disposal.

The Trust approach to the re-use of the Trust assets has been to continue to develop in a way which reflects the existence of a covenant. This applies to a small part of the hospital site. TSDNHSFT as current guardians of the property on behalf of the NHS, acknowledge both the spirit of the covenant which was for the benefit of the community and the views provided by the community. It will, accordingly, wish to ensure that this is recognised by creation of suitable community benefit.

6.6.3 Community Aspiration; Healthcare for Dartmouth

- a) There should be adequate GP provision within the Parish including out of hours care, for an expanding population with minimal waiting times for patients and choice of seeing their own GP. Suitable and safe reception and waiting areas and links to in-house pharmacy.
- b) Easy access for the whole population to the wider multi-disciplinary health team is available ideally within the same building, including physiotherapy, pharmacy, mental health nurses and nurse prescribers.
- c) Adequate provision of NHS Dental Care for the whole population.
- d) Ensure adequate pharmacy services at both the new Health and Wellbeing Centre and in the Centre of town.
- e) Ensure adequate district nurse, health visitor, midwifery, occupational therapy and “hospital at home” provision for all who require these services, to enable home based care as far as possible, linked with both GP and hospital based clinicians.
- f) Ensure that health and social care are effectively coordinated for all patients and that third sector (voluntary) care is best embedded in the system.
- g) When access to urgent medical services is not available within an appropriate time frame, consideration should be given to expansion of services if feasible. Access to emergency medical services should be provided safely with a rapid and efficient ambulance service within accepted national time frame standards.

Policy DNP HW1 Re-use of the former hospital site and health centre Zion Place.

This plan supports maintaining community provision and facilities capable of being used to serve the health and wellbeing of the local and visitor population in Lower Town on the sites shown in Map 17 once the facilities to be provided in the new Health and Wellbeing Centre (H&WC) at the top of town are established.

The development of briefs for these sites, in advance of any planning applications, which gives residents and businesses the opportunity to shape the future of the former hospital site is encouraged. The following requirements should be addressed in preparing the briefs: -

- The provision of community space capable of supporting health and social care facilities/services and first aid, particularly for the use of residents of and visitors to Lower Town;
- The massing and design of the development of the hospital site given its prominent location as part of Dartmouth's historic waterfront and Conservation Area;
- Redevelopment of the sites should be subject to a comprehensive survey of existing heritage assets and must avoid harm to these assets and protect and enhance the historic environment as set out in national and local policy.
- Meet national policy and guidance requirements regarding flood risk ensuring that as well as being safe from flooding over its lifetime, the proposed development will contribute to reducing the overall flood risk of the town and safeguard water quality.
- Other relevant policies as contained in the Development Plan.

A key purpose of the development briefs should establish the balance to be struck between the commercial/residential market, the provision of affordable/ key worker housing, if required, and community uses.



Map 17a Former Hospital Site lined in red



Map 17b Health Centre Zion Place lined in red

6.6.4 Community Facilities

As stated in the green environment section the social and health benefits, both physical and mental, provided by open green spaces are supplemented in Dartmouth by a range of facilities for play, sports and leisure. Provision for such facilities is enshrined in para 96 of the NPPF. There will be increased demand and pressure on open space now that a large number of new homes is being built during the plan period at the Cotton Farm development, on the very margin of our Parish. The open space, sport and recreational (OSSR) provision for the parish is being updated as a result of this additional demand and reflected in this plan. NPPF para. 97 places emphasis on safeguarding existing provision of community facilities. These principles are supported within the JLP policies DEV3 and 4.

6.6.5 There is the wide range of community organisations in the Town. The plan group has engaged with the community groups, identified the facilities and venues they use and understand their importance to the Dartmouth community (see Dartmouth OSSR Appendix C). The main objectives include; -

- to support, preserve and sustain the wide range of community facilities in Dartmouth for the continued health and well-being of the community and visitors;
- Identify deficiencies in the existing community facilities within the plan area;
- Support the opportunities for enhancing community facilities or creating new ones.

6.6.6 Whilst overall provision in Dartmouth is in line with recommended levels there are deficiencies in certain categories and improvements required in individual sites. An audit of these sites was undertaken, and the quality of provision assessed by conversations with users and through verbal and email correspondence with a number of stakeholders; -

Dartmouth and District Sports Association
 Dartmouth Amateur Athletic Club
 Dartmouth Amateur Rowing Club
 Dartmouth Rugby Union Football Club
 Dartmouth Association Football Club
 Dartmouth and District Cricket Club
 Dartmouth Club de Petanque
 Dartmouth Yacht Club and its canoe section
 Dartmouth Hockey Club
 Dartmouth Bowling Club
 Dartmouth Gig Club
 Dartmouth Jubilee Tennis Club
 Dartmouth Leisure Centre
 Dart Valley U3A Walking Group
 Dart Area Landscape Access Group
 Walk and Talk Group

6.6.7 The inventory of Community facilities and their assessment is contained in Green Space, Environment and Community Table 4 and Appendix C3. The concerns raised during consultation are summarised below.

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6.6.8 Play Facilities (LAPs, LEAP, NEAP)

Generally, the present spread of LEAP facilities within the upper and lower town areas should be retained. The LEAP play area in Victory Road is derelict and in an unsuitable location for this purpose and should be permanently decommissioned. It is temporarily fenced off by agreement between SHDC and DTC, but it is still accessible for antisocial activities. The resultant deficiency in LEAP provision should be rectified and the possibility of providing a LAP/LEAP within the Rock Park area should be explored.

6.6.9 Sport and Leisure use at Norton Field.

This large open area, 3.57ha, is the only facility of its kind in the Parish justifying its nomination for Local Green Space (see Green Space, Environment and Community Tables 2 and 3). It is on relatively flat ground, is conveniently located for Townstal with its younger population and adjacent to the West Dart development, and there is parking provision adjacent. Despite this it is underutilised because of its serious deficiencies. The Dartmouth Community Plan, MCTI 2004 recognised the importance of the Norton Field sports facility and listed a number of enhancements. These included provision for; -

- A floodlit all weather hockey pitch
- A floodlit grass pitch
- A cricket square and pitch
- A 200 m athletics practice track and athletics field sports facility
- Skateboard and BMX biking facilities

Dartmouth and District Sports Association has undertaken its own assessment of the various bids for facilities on Norton Field. Their evidence is presented in Appendix C. Policy DEV 4 in the JLP places emphasis on the importance of playing pitches in the health and welfare of communities. It is understood that a Playing Pitch Strategy is presently under review by SHDC, and it was hoped would produce its recommendations by Spring 2021. However, it is believed that the improvements at Norton Field are consistent with the aims and need identified by the SHDC OSSR report of 2017, prepared for the development of the JLP. Norton Field should receive the highest priority for major improvements as funds become available. The existing rugby pitch and the seasonal athletic provision for field and track events should be retained and enhanced. A sports centre should be provided with shower and changing facilities for 2 teams/genders and officials, secure storage and an area for social events. This may be on ground behind the Leisure Centre, presently occupied by a Skate park, which could be sited elsewhere with improved surveillance and more challenging facilities.

6.6.10 Coronation Park

A single storey shelter and storage facility should be provided on Coronation Park as funds become available. Such a facility must be sensitively designed and located that does not conflict with the proposed designation of the park as a Local Green Space. It could be located in the SW corner adjacent to the retaining wall in an area near to the tennis courts.

Policy DNP HW2, Open Space and Recreation

The following open space and recreation facilities have been identified as having importance to the community: -

- I. Victoria Road (LEAP)
- II. Collingwood Road (LEAP)
- III. Britannia Avenue/ Davis Road (LEAP)
- IV. Archway Drive (LEAP)
- V. Skate Park
- VI. Coronation Park
- VII. Leisure Centre and Indoor Pool
- VIII. Outdoor Pool
- IX. Bowling Green
- X. Norton Field
- XI. Tennis Court, Rock Park, Townstal
- XII. Football Ground
- XIII. North Embankment Slipway
- XIV. Warfleet Creek Slipway

1. Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- a) an assessment has been undertaken which has clearly shown the open space, buildings, or land to be surplus to requirements; or
- b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
- c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.

2. New residential development will where practicable be expected to deliver new community facilities including Open Space, Sports and Recreation (OSSR) facilities on site. On smaller sites or where this is not practicable a planning obligation will be sought to mitigate the impact of new residents through new and improved provision in an appropriate location. For OSSR facilities this should be in accordance with the priorities and projects identified in the latest SHDC and DTC OSSR Plans and SHDC's Playing Pitch Strategy.

3. Proposals that involve the use of land in the countryside to facilitate and enhance informal recreational activities and access related to the enjoyment and interpretation of the countryside will be supported where they would not have an adverse effect on the AONB, countryside, historic environment, and other land uses in the vicinity. Any proposals that improve access to existing public rights of way will be supported.

4. Proposals that promote the public awareness and enjoyment of the historic and natural environment such as heritage and nature trails will be supported. Any future development should include the appropriate enhancement of adjacent heritage and nature trails.

5. Ancillary facilities to open and recreational spaces must, where practicable, be accommodated in existing buildings. New facilities should be in keeping with their surroundings and respect policy DNP TE2 (Design Quality throughout the Parish).

6.6.11 Emergency and Community Services

The existing ambulance and fire services support facilities located on College Way provide an essential service to the town. Accommodation for a local police presence has also been added to the site recently. Other uses on this site will not be supported.

Policy DNP HW3. Community Facilities

The area shaded in Map 18 is safeguarded for emergency and community services to serve the Parish, a change of use will only be supported if the facilities are replaced by facilities of equal or higher quality, economic viability and value to the community or it can be demonstrated they are no longer needed.



Map 18 Emergency and Community services shaded in pink.

6.6.12 Access to the river

Residents and visitors require ready access to launch small motorboats, dinghies and an increasingly wide range of personal water craft; canoes, kayaks and stand up paddleboards (SUP). The volume of this sport has increased enormously in recent years www.dartharbour.org/news-and-notice/news/2020/09/18 . Provision of safe storage facilities for boats, and trailers has been provided by SHDC in recent years, and now provision falls to DTC. JLP DEV 3.2 confirms that *“access to the water such as to the sea, estuaries and rivers/etc. for recreation, whether alongside, on, or in the water, is of key importance to the Plan Area.”* At present in Dartmouth there is a narrow slip adjacent to the Higher Ferry and an improved safer, wider, and easier to access slipway with associated short-term parking is proposed for the North embankment (see Map 19) which will provide much needed extra capacity. The launch slip at Warfleet Creek is associated with a storage rack facility, SUPs are being launched here with increasing frequency. The present launch and boat and trailer storage facilities in Warfleet and at the Higher Ferry are over capacity.

6.6.13 The main boat and trailer storage capacity is in the northern area of Coronation Park. Users have pointed out the dangerous issue of visibility when crossing the road from Coronation Park to the slip adjacent to the Higher Ferry with vehicles crossing the queue for the ferry close to this point. This is exacerbated when pedestrians are transporting watercraft and when the top of the slip is cluttered with large vehicles and trailers whilst their owners launch their vessels. This plan supports improved and safe access to the river especially at the Higher Ferry. The existing traffic system controlling alternating entry to the Higher ferry or the passage of cars into the town should have a pedestrian phase added to allow boaters to cross

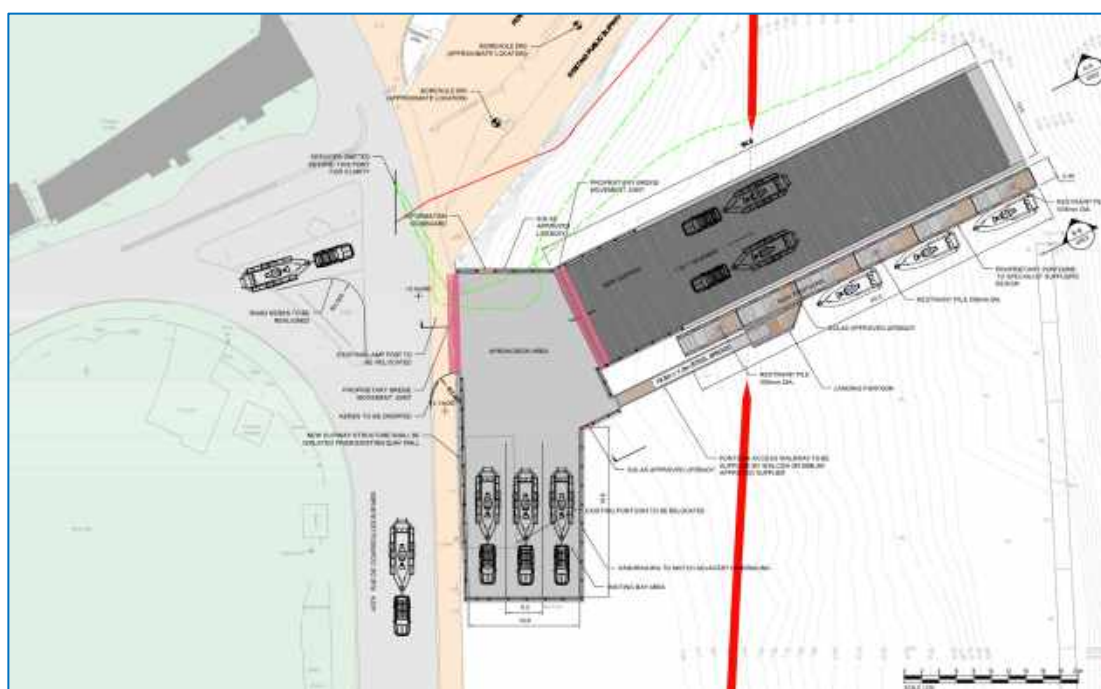
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the road in safety. Provision should also be made for short term parking of vehicles and trailers whilst watercraft are launched and secured.

Policy DNP HW4 Improved water access for recreational users.

This plan supports new and improved access and infrastructure to the River Dart for recreational watercraft users. Improvements should be focussed at North Embankment in the vicinity of the Higher Ferry and include the following:

- a) An improved slipway on the North Embankment indicated in Map 19.
- b) The present boat storage facilities on Coronation Park should be retained and enhanced;
- c) Short term parking provision for craft and vehicles adjacent to the slipways indicated in Map 19.



Map 19 Proposed slipway and associated short term craft and vehicle parking in the vicinity of the Higher Ferry. - Source; SHDC, the Dartmouth Public Slipway Trust and AECOM consultants

6.6.14 Education

The Key education issue for the Plan is to ensure that adequate land is available for future education provision. allowance must be made for a potential significant increase in school-age population through housing development at Cotton through JLP Policy TTV4. There should also be safe access to education facilities. Proposed land use for educational facilities should also benefit the town, such as parking, transportation, recreation and community use of facilities out of hours and term time.

POLICY DNP HW5 Education Facilities

- a) Further development required by The Dartmouth Academy for education and sports purposes during the period of the Plan will be supported where such proposals meet the other policy requirements of this Plan and the JLP and their function, character, setting, accessibility, appearance, general quality, and amenity value is protected.
- b) The area illustrated in Map 20 encompassing the Dartmouth Academy and grounds is safeguarded for education and community related uses. A change of use will only be supported if the facilities are replaced by facilities of equal or higher quality, economic viability and value to the community or it can be demonstrated they are no longer needed.



Map 20 Dartmouth Academy, area safeguarded for education and community uses lined in red

7. A sustainable and deliverable plan

7.1 Sustainable Development

7.1.1 One of the fundamental factors underlying this Plan is that it contributes to making Dartmouth and the plan area more sustainable. This Plan respects the Government’s approach to sustainable development as set out in the National Planning Policy Framework. A clear definition of sustainable development provided by Locality¹¹ is;

‘Enabling growth to cater for the needs of current generations but ensuring that growth doesn’t mean worse lives for future generations’

7.1.2 Some of the features of this Plan that make Dartmouth more sustainable are:

- A high level of community engagement;
- Mixed transport options encouraging use of public transport, walking and cycling;
- More local employment opportunities;
- Improved community facilities to promote health and wellbeing;
- Promotion of high quality design;
- New housing that responds to local needs and all ages;
- Protection and enhancement of the AONB, wildlife areas and measures to support biodiversity net gain;
- Conserving historic buildings and environments;
- Recognising the importance of landscape and open space, protection of historic landscape features.

7.2 Delivery

7.2.1 The Dartmouth Neighbourhood Plan Steering Group was set up by Dartmouth Town Council to develop, champion and engage the community on the Neighbourhood Plan. In due course the Steering Group will transfer the responsibilities for delivering the Plan back to the Town Council who will take on the responsibility of co-ordinating, stimulating and supporting policies and community aspirations identified in the Plan. It is recommended that the success of the plan is reviewed annually with a major review every 5 years carried out in consultation with the community and Local Planning Authority. This is to ensure the Plan is still current and remains a positive planning tool to deliver sustainable growth in Dartmouth.

7.2.2 Some projects will simply be brought forward by private individuals and independent organisations wishing to invest in site(s) and policies. However, many aspects of the Plan will be driven by public and community investment. Funding bids may have to be prepared and submitted and resources allocated.

7.2.3 For the Plan to be successful the Town Council will need to take a strategic role as owners of the Plan and keeping the ‘whole picture’ across the plan area in focus. Some aspects

¹¹ Locality Neighbourhood Plans Road Map Guide

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of the Plan will need to be explored in greater depth with a focussed group of participants that may have particular interests, covering each policy area;

- The natural environment
- Business, town centre regeneration and the economy
- Sustainable transport
- The town and built environment
- Affordable housing
- Health, wellbeing and leisure

7.2.4 The above groups should be provided with simple reporting and governance/terms of reference in order to ensure proper co-ordination. It is recommended that a member of the Town Council might chair each group. In order to be effective, these groups will have the liberty to co-opt individuals such as representatives of key external agencies. It is very important that such inclusion within the governance, decision-making or delivery structures of these initiatives does not mean that community representation is relegated to a minority stake.

7.2.5 To further the sustainability and carbon reduction policies and community aspirations of the Plan the establishment of a local social enterprise is supported. This could be similar to the [Plymouth Energy Community](#) whereby local people benefit from low cost renewable energy, investors get a fair return and a community benefit fund is generated to be able to support projects reducing fuel poverty and carbon emissions. (Appendix G, section 3).

7.2.6 Delivery groups for housing and business will be critical to the success of the plan. In parallel with the neighbourhood planning process the community in discussion with the Town Council may wish to consider the merit of a Community Land Trust (CLT) for the plan area as one of the delivery mechanisms for parts of the Plan. A CLT is a not for profit body that develops and stewards affordable housing, employment space, and other community assets on behalf of a community. The concept balances the needs of individuals to access land and maintain security of tenure with a community's need to maintain long term affordability, economic diversity and local access to essential services. CLTs are usually formed to deliver community-led housing, set up and run by members of a community to develop and manage these homes. However, they can also manage other assets important to the community, like employment spaces. There are now over 260 Community Land Trusts ¹²in England and Wales. The largest Community Land Trusts have over 1000 members each. Community Land Trusts have developed over 900 permanently affordable homes to date and are in the process of developing a further 16,000 homes.

¹² Community Land Trust Network <http://www.communitylandtrusts.org.uk>

8. What happens next?

8.1 This version of document is now final; it has been prepared for the Referendum of the Dartmouth Neighbourhood Plan.

8.2 The plan and supporting evidence shall be published by SHDC on <https://www.neighbourhoodplanning.swdevon.gov.uk> and will also be available on the Dartmouth Neighbourhood Plan website page <https://dartmouthplan.org> and will be available for viewing at the Town Hall, Flavel Centre and Dartmouth Visitor Centre.

9. List of acronyms and glossary

AONB South Devon Area of Outstanding Natural Beauty

BRNC Britannia Royal Naval College

CAB Citizens Advice Bureau

CLT Community Land Trust

CWS County Wildlife Sites

CPtED Crime Prevention through Environmental Design

DCC Devon County Council

DGP Dartmouth Green Partnerships

DHCMTS Devon Historic Coastal Market Town Survey

DNP Dartmouth Neighbourhood Plan

DUC Devon's Undeveloped Coast

DTC Dartmouth Town Council

DVC Dartmouth Visitor Centre

EA the Environment Agency

GI Green Infrastructure

HE Highways England

HotSW LEP Heart of the South West Local Economic Partnership

HUCA Historic Urban Character Area

H&WC Health and Wellbeing Centre

IMD Indices of Multiple Deprivation

JLP the Development Plan or Joint Local Plan for South Hams, Plymouth, and West Devon Councils (2014 to 2034)

LAP Local Area for Play

LEP Local Enterprise Partnership

LEAP Local Equipped area for Play

LGS Local Green Space

MCTI Market and Coastal Town Initiative

NDP Neighbourhood Development Plan

NE Natural England

NEAP Neighbourhood Equipped Area for Play

NPSG the Neighbourhood Plan Steering Group for Dartmouth

NPPF the National Planning Policy Framework

ONS Office of National Statistics

OS Ordnance Survey

OSSR Open Spaces, Sports and Recreation Plan

SAC Special Area of Conservation

SEP Strategic Economic Plan

SHDC South Hams District Council

SPD Supplementary Planning Document

SSSI Sites of Special Scientific Interest

TTV Thriving Towns and Villages

TSDNHSFT Torbay and South Devon NHS Foundation Trust

NP Neighbourhood Plan

MW Megawatt

UK United Kingdom

SW South West

10. Appendices, tables and supporting evidence base

| | |
|---|---|
| A1 Basic Conditions Statement | Refer to https://dartmouthplan.org/appendices/ |
| A2 Consultation Statement | |
| A3 Habitat Regulations and Strategic Environmental Assessment | |
| B1 to B5 Topic Group Papers | |
| C Dartmouth Town Council OSSR Plan | |
| C2 D and DSA submission re Norton Field | |
| C3 Evidence from sports clubs | |
| D Footpath Evaluation | |
| E1 Green Matrix Sites | |
| E2 Wildlife Resource Map and Report DBRC 2020 | |
| F Locally Important Views | |
| G Climate Change Evidence | |
| H Housing evidence and census data | |
| H1 DCC Extra Care Housing Study Updated 2015 | |
| H2 Existing Second Homes data 2020 | |
| J Local and Non-Designated Heritage Assets | |
| J1 Non-Designated Heritage Assets | |
| J2 Designated Heritage Assets | |
| J3 Devon Historic Coastal and Market Towns Survey and Historic Urban Character Areas for Dartmouth | |
| K1 Summary of 2016 Consultation Responses | |
| K2 Summary of 2021 Business Survey Responses | |
| L1 Dartmouth Conservation Area Appraisal | |
| L2 South Devon AONB Management Plan | |
| M1 Market and Coastal Town Final Report 2004 | |
| M2 Retail and Leisure Study 2017 PBA | |
| N Housing Needs Assessment 2021 AECOM | |
| O Historic Flooding Incident Report | |
| P1 Development Brief Employment Sites (for information only) | |
| Q1 Transport Study 2004 by Parsons Brinckerhoff for DCC Issues Report | |
| Q2 Transport Study 2004 Proposals Report | |
| R1 Civic Spaces | |
| R2 Brownfield Sites Schedule (For Information only) | |
| R3 Brownfield Sites Map (for information only) | |
| S1 Dartmouth Hospital Register Plan | |
| S2 Support for Health and Wellbeing facilities in Lower Town | |
| T Evidence supporting the Settlement Boundary included in Policy DNP GE12 | |
| | |

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| Green Space, environment, and community tables | |
|---|---|
| Table 1 Inventory of open spaces | Refer to https://dartmouthplan.org/tables/ |
| Table 2 Local Green Space Nominations | |
| Table 3 Local Green Spaces Appraisals | |
| Table 4 Inventory of Community Facilities | |
| Table 5 Inventory of walks, cycle routes and Public Rights of Way | |
| Housing tables | |
| Table 1 Projected Household Populations | Refer to https://dartmouthplan.org/tables/ |
| Table 2 South Hams affordability Ratio | |
| Table 3 Dartmouth Extra Care Housing | |
| Table 4 Devon Homes Choice Registered Households July 2020 | |
| Table 5 Mix of affordable housing at Cotton Farm | |
| Table 6 Predicted Rate of Delivery of affordable and market housing at Cotton Farm | |

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Report to: **Council**

Date: **15 December 2022**

Title: **Kingsbridge, West Alvington and Churchstow Neighbourhood Plan**

Portfolio Area: **Place Making**

Wards Affected: **Kingsbridge, Loddiswell and Aveton Gifford and Salcombe and Thurlestone.**

Urgent Decision: **Y** Approval and clearance obtained: **Y**

Date next steps can be taken: Publicise the making of the Kingsbridge, West Alvington and Churchstow Neighbourhood Plan.

Author: **Elliott Hale** Role: **Neighbourhood Planning Specialist**

Contact: **Elliott.hales@swdevon.gov.uk**

RECOMMENDATION

That Council approves the making (adoption) of the Kingsbridge, West Alvington and Churchstow Neighbourhood Development Plan.

1. Executive summary

- 1.1 Neighbourhood Development Plans are a community right introduced by the Localism Act 2011. They are the responsibility of Parish Councils.
- 1.2 Once 'made', or adopted, by the Local Planning Authority, they become a part of the Development Plan for the District and are used alongside the Local Plan to decide planning applications in the area they relate to.
- 1.3 In order to comply with the Neighbourhood Planning (General) Regulations 2012, the plan must be made by South Hams District Council as the relevant Local Planning Authority within 8 weeks of a successful referendum result.

2. Background

- 2.1 The Kingsbridge, West Alvington and Churchstow Neighbourhood Plan has been undertaken by Kingsbridge, West Alvington and

- Churchstow Parish Councils in accordance with the relevant legislation and regulations.
- 2.2 The Kingsbridge, West Alvington and Churchstow Neighbourhood Area was designated in November 2018.
 - 2.3 Following the necessary community engagement, consultation and background work, a draft plan was submitted to South Hams District Council on 17th December 2021, in accordance with Regulation 15 of the Neighbourhood Planning (General) Regulations 2012.
 - 2.4 The District Council consulted on the draft plan between 28th January until 11th March 2022, in accordance with Regulation 16 of the above Regulations.
 - 2.5 Following this consultation an independent examiner was appointed in accordance with Regulation 17, who confirmed that, subject to minor modifications, the plan met the 'basic conditions' as set out in legislation, and was suitable to go forward to referendum.
 - 2.6 The Council agreed with the Examiner's conclusion, and a referendum held on Thursday 24 November 2022 and achieved a turnout of 15.49% of local residents. Of these, 89.29% voted in favour of the plan.
 - 2.7 Following a majority vote in a referendum to 'make' the plan, it becomes a statutory part of the Local Development Plan and is used alongside the Joint Local Plan to help decide planning applications in the Neighbourhood Area.
 - 2.8 Council officers have worked alongside the Kingsbridge, West Alvington and Churchstow Neighbourhood Plan Group to ensure that the Neighbourhood Plan provides an appropriate framework for development in the Kingsbridge, West Alvington and Churchstow area up to 2034.
 - 2.9 Officers confirm that the plan meets the necessary 'basic conditions', including conformity with the Local Plan and with national policy.
 - 2.10 Regulation 18a of the Neighbourhood Planning (General) Regulations 2012 requires that a neighbourhood plan is 'made' by the Local Planning Authority no later than 8 weeks from the date of a successful referendum. In this case the relevant date by which the plan should be made is 5th January 2023.
 - 2.11 The Council has previously expressed support for neighbourhood plans as a way of achieving local and community priorities.

3. Outcomes/outputs

- 3.1 Once made, the Kingsbridge, West Alvington and Churchstow Neighbourhood Development Plan will become part of the Local Development Plan and will be used to help decide planning applications in the Kingsbridge, West Alvington and Churchstow area.
- 3.2 A successful outcome for this neighbourhood plan will provide encouragement to the many other Parishes who are currently working on neighbourhood plans.

4. Options available and consideration of risk

- 4.1 Neighbourhood Plans come into force as part of the Development Plan immediately following a successful referendum. Therefore the Kingsbridge, West Alvington and Churchstow Neighbourhood Plan should now be used to decide planning applications.
- 4.2 However, in order to comply with the relevant legislation, the Local Planning Authority must make a neighbourhood plan within the required timeframe following a successful referendum, unless a legal challenge has been brought in relation to the referendum or unless there are concerns about the compatibility of the neighbourhood plan with any EU or human rights legislation. In this instance there are no such concerns.
- 4.3 Failure to make the Kingsbridge, West Alvington and Churchstow Plan within the required timeframe could open the Council to legal challenge.

5. Proposed Way Forward

- 5.1 It is recommended that Council approve the making of the Kingsbridge, West Alvington and Churchstow Neighbourhood Development Plan.

6. Implications

| Implications | Relevant to proposals Y/N | Details are set out in this report. |
|--|---------------------------|---|
| Legal/Governance | Y | The function of making a neighbourhood plan is the responsibility of the full Council. The Kingsbridge, West Alvington and Churchstow Neighbourhood Plan has followed the procedure in the Neighbourhood Planning (General) Regulations 2012 and the referendum has been held in accordance with the Neighbourhood Planning (Referendums) Regulations 2012. The Council is therefore required to make the Neighbourhood Plan and must do so within 8 weeks of the date of the referendum. |
| Financial implications to include reference to value for money | N | There are no financial implications. |

| | | |
|---|---|---|
| Risk | Y | There is a risk of legal challenge if the Neighbourhood Plan is not made within the required timeframe |
| Supporting Corporate Strategy | Y | The Councils's role in the Neighbourhood Plan process is a statutory duty. |
| Climate Change - Carbon / Biodiversity Impact | Y | The Kingsbridge, West Alvington and Churchstow Neighbourhood Plan aligns with the Joint Local Plan and contains policies aimed at mitigating the effects of Climate Change and impacts upon Biodiversity. |
| Comprehensive Impact Assessment Implications | | |
| Equality and Diversity | Y | The Neighbourhood Plan has assessed Equality and Diversity implications as part of its background evidence. |
| Safeguarding | N | None |
| Community Safety, Crime and Disorder | N | No direct implications. |
| Health, Safety and Wellbeing | Y | Positive outcomes are anticipated from the making of the Neighbourhood Plan. |
| Other implications | N | none |

Supporting Information

Appendices:

Appendix 1: Kingsbridge, West Alvington and Churchstow Neighbourhood Plan - Referendum version

Background Papers:

Background documents to the Kingsbridge, West Alvington and Churchstow Neighbourhood Plan on line at:-
https://www.neighbourhoodplanning.swdevon.gov.uk/files/ugd/faccb1_92eeccfe6ab4191bdbc34dcd821a78d.pdf

KINGSBRIDGE, WEST ALVINGTON and CHURCHSTOW

NEIGHBOURHOOD PLAN *2021 to 2034*



*REFERENDUM VERSION
September 2022*

Richard Benton

This Neighbourhood Plan is dedicated to our late Chairman, Richard Benton, who sadly passed away on Monday 17th May 2021.

We will miss his enthusiasm, total commitment, and passion in leading this project which we hope will help shape this beautiful area of South Devon for future generations.

He will be sadly missed by everyone who knew him, and our thoughts are of him and with his family as we progress the Plan to its conclusion.

Thank you Richard



Foreword

Those of us who volunteered in 2018 to join a Steering Group to help the three local parishes produce this Neighbourhood Plan did so because we felt great affection for the area in which we live, and were concerned for its future, whether we were born here or are one of the many who have chosen to live here because of its unique mixture of qualities.

West Alvington and Churchstow parishes are immediate neighbours of Kingsbridge town, and characteristic of the nineteen rural parishes which make up the Kingsbridge market town hub area identified by the District and County councils. They were keen to produce a Neighbourhood Plan and welcomed the offer to join the Steering Group and contribute to the shared voluntary resource, to achieve this substantial task. The group's work has confirmed the many shared issues and interdependencies that link the three areas and eased the task of assembling this complex document.

The beauty of our location combined with the relative remoteness from major transport links are the main reasons for the area having remained so attractive. But it is also clear that they present challenges to the plan area being able to sustain itself and its surrounding rural area economically. They were also a challenge to it remaining an all year round and broadly based community in the longer term. It is clear from our surveys that many residents especially value this last point.

This plan explores ways to help our area respond to the growing opportunities and challenges of the on-line world and to climate change issues, with minimum harm to the environment, in a sensitive and designated landscape, notably the South Devon Area of Outstanding Natural Beauty.

Fortunately, a significant number of residents and businesses took time to complete our household questionnaire and there is general consensus on the priorities for the plan. Whilst the Town Council and the two parish councils are sponsors of the process, and are directly involved, it is local people's views and aspirations which must drive this Plan.

Several local factors have confirmed the need to get the plan completed swiftly. The implications of the long-term and increasing affordable housing shortage, and transport and community infrastructure shortcomings, have started to impact on residents and commercial life more severely of late. Under national policy Neighbourhood Plans become an integral part of the local plan process and once adopted can influence and shape development. So now is the right time for our policies to inform land use, housing, infrastructure and community facilities for the next fourteen years and lay the foundations for the longer term. As evidence for this Plan a Housing Needs Assessment and an Economic Strategy Report were commissioned, this research and guidance is specific to our area and have strongly influenced our policies.

In consultation with the community the Steering Group has developed a vision for the plan area.

Overall Vision

The Plan sets out to celebrate and sustain the unique characteristics of the market town of Kingsbridge, and the distinct, separate villages of West Alvington and Churchstow, the estuary and beautiful rolling landscape they sit within. It aims to provide a development framework which will sustain a balanced community and a varied and vigorous local economy for the long term, for Kingsbridge town and the surrounding rural area it serves. It is built on the need to maintain a balance between protecting, enhancing the beautiful natural and the much valued historic environments, with encouraging modest, appropriate and achievable development. Development is only identified where necessary to ensure the current and future wellbeing of all sections of the resident community, local businesses and visitors.

In 2020 the community pressures resulting from the Covid 19 pandemic brought focus to the provision of health and community support services. In particular the housing needs of key workers, many of whom earn salaries at or below the regional average, have been thrown into stark relief. Policies to address these issues have been refined in the plan as a result.

This plan aims to set a framework for the types of development we generally support and will provide a clear guide for the local planning authority, private landowners and developers about what is required locally, and what plans might be supported. The policies are aimed at supporting the local authority and community organisations in safeguarding and developing desirable community buildings and transport facilities such as sports bases, public access to the water or safe cycle and footpaths. Other policies provide permanent protection to valued views, green spaces and historic parts of built up areas.

This document does not provide a magic answer to long standing development challenges in our community, but it has considerable potential to influence them for the good. I commend this plan to all readers and encourage those who are eligible to support its adoption to do so when the time comes to vote.

I must finish by thanking the many people who have had a hand in producing the plan, and especially the small core group who have put in so much work over a long period to make it happen.

Richard Benton,
Chair, Neighbourhood Plan Steering Group.
May 2021



'The Plan sets out to celebrate and sustain the unique characteristics of the market town of Kingsbridge, and the distinct, separate villages of West Alvington and Churchstow, the estuary and beautiful rolling landscape they sit within.'
Taken from the Plan Vision

Table of Contents

| | Page Number |
|--|--------------------|
| Foreword | 2 |
| List of figures | 6 |
| 1. Introduction to the Neighbourhood Plan and a vision for the area | 7 |
| 2. Why we need a Neighbourhood Plan and how it has been prepared | 14 |
| 3. About Kingsbridge, West Alvington and Churchstow Parishes | 23 |
| 4. Key challenges, themes, aims, priorities and objectives | 43 |
| 5. Proposed policies for the whole Neighbourhood Plan area grouped in themes; - | 46 |
| Theme 1 Natural Environment | 48 |
| Theme 2 Housing and homes | 71 |
| Theme 3 Employment, Economy and Training | 76 |
| Theme 4 The Built Environment | 85 |
| Theme 5 Sustainable Transport and Infrastructure | 95 |
| Theme 6 Health and Wellbeing | 104 |
| 6. A sustainable plan area and Delivery Plan | 111 |
| 7. What happens next? | 114 |
| 8. List of acronyms and glossary | 115 |
| List of Appendices and evidence | 116 |

List of Figures

- 1 The Neighbourhood Plan Area
- 2 The Plan area and Saltstone Parishes
- 3 Summary of community survey responses
- 4 Undeveloped Coast policy area
- 5 Extent of the South Devon Area of Outstanding Natural Beauty designation
- 6 Types of Landscape Character in the Plan area
- 7 Statutory and non-statutory wildlife sites in Kingsbridge
- 8 Statutory and non-statutory wildlife sites in West Alvington
- 9 Statutory and non-statutory wildlife sites in Churchstow
- 10 Vehicle travel distances
- 11 Kingsbridge Conservation Area
- 12 West Alvington Conservation Area
- 13 Matrix of cross-cutting themes
- 14 West Alvington Settlement Boundary
- 15 Churchstow Settlement Boundary
- 16 Kingsbridge Settlement Boundary
- 17 a-c Local Green Space, d Open Space and Recreation
- 18 Green Corridors
- 19 Locally Important Views
- 20 The Environment Agency Flood Risk Areas
- 21 Allocated Housing Sites within Kingsbridge
- 22 Summary of Economic Policy Review
- 23 Lower Union Rd and Orchard Industrial Estate Regeneration Area
- 24 Primary Shopping Area for Kingsbridge
- 25 Kingsbridge Quayside and Town Square
- 26 Non Designated Heritage Assets
- 27 Listed buildings
- 28 Public rights of way
- 29 Not used
- 30 Churchstow car park and village hall
- 31 Safeguarded Health and wellbeing uses
- 32 Locations for a Community Centre for Kingsbridge
- 33 How a Community Land Trust Works

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Kingsbridge in Bloom, Graham Price, Richard Smith, Elizabeth Green, Gill Matthews, Norman Dilley and Lee Johnson

1. Introduction to the Neighbourhood Plan and a vision for the area

What this document is about, how it is structured and why?

- 1.1 Neighbourhood Plans, once passed at a local referendum, will form part of the local government land use planning system and help inform all future planning applications in our area. This plan identifies where building or physical services are needed, controls what development can take place, and influences what building developments should look like. It also identifies where natural and historic features affected by development should be protected, conserved and enhanced. The policies and supporting evidence are the core of this plan.
- 1.2 Readers must remember the land use focus of the plan. There are many other important aspects of local community life which fall outside the land use planning orbit and may be outside the scope of this plan.
- 1.3 Our plan area is part of a wider, relatively remote, rural area of south west Devon characterised by heavily protected and beautiful hilly countryside, estuary and coast but with poor road and transport communications by 21st century standards. South Hams District and Devon County Councils define Kingsbridge as the market town hub for the nineteen rural parishes which surround it and together make up a significant proportion of the South Devon Area of Outstanding Natural Beauty (AONB). Several other village parishes within this area and Salcombe town have already produced, or are in the process of producing, a Neighbourhood Plan.
- 1.4 Kingsbridge Town Council was keen to facilitate the production of a Neighbourhood Plan and offered to work with surrounding parishes which did not have a plan. West Alvington and Churchstow took up this offer and have similar characteristics and needs to many of the other 'hub group' parishes, so this grouping has been mutually beneficial. It has also allowed detailed consideration of important shared issues like safe cycle and footpath linkages between the villages and the town.
- 1.5 The process which was followed to gather the necessary data, consult local residents, businesses and community organisations is set out in detail in Section 2. The outcome from this enabled the Steering Group, with help from many others, to arrive at the shared vision which follows at the end of this introductory section. The policy objectives to make the vision a reality are set out in Section 3.
- 1.6 Section 4 of the document comprises the descriptive background and planning context for the geographical area covered by the plan, and the evidence which supports the rationale for the policies. The numbered subject themed sections in Part 5 provide the detailed rationale for the related policies. These are designed to help deliver the vision and themed objectives for our area.

1.7 This document has been written to reflect the needs of a wide readership. In its final form it becomes part of the statutory planning documentation used by professional planning officers and elected councillors to determine development decisions for our area. To help with the more technical language we have included a glossary and list of acronyms to help.



Figure 1 The Neighbourhood Plan Area

Initial analysis of local issues

1.8 In the early stages of the plan development steering group members and the community at large were invited to identify the issues and characteristics particular to the plan area. This analysis or SWOT (Strengths, Weaknesses, Opportunities and Threats) has been regularly updated through the community engagement process. The latest version is included below; -

| Strengths-positive things about the area | Weaknesses-negative things about the area |
|--|---|
| <p>Attractive/idyllic setting of the town and villages The AONB Kingsbridge in Bloom-civic pride Safe environment Access to the estuary Access to the countryside Strong history and heritage Critical mass of population A real market town and hub Distinctive villages with their own identity Strong sense of community, support and friendly Good education standards Small schools Outstanding young people Many independent shops Good range of services (shops, health, education and leisure) Strong tourism industry</p> | <p>Lack of affordable homes Low average local salaries making most market housing unaffordable Younger residents caught in a high rental cost trap Empty and deteriorating premises Lacking identity (some say dull!) Ageing population Some residents apathetic and usually only reactive Working population lacks time to engage fully Limited jobs and career opportunities (especially for young people) Shortage of local higher skills training Poor transport network and remoteness from the strategic road and rail network; Rural isolation of young and old No hotel No community centre in Kingsbridge Declining street care Poor broadband</p> |
| Opportunities-for the future | Threats-to avoid |
| <p>Make area more Eco friendly Celebrate the town and villages' history Improve estuary and countryside access Use area around the leisure centre Reinvigorate Fore Street, develop underused floors Develop brownfield and under used sites, especially Lower Union Road Increase pedestrian access and make more pedestrian friendly More engagement and opportunities for young people Better facilities for the disabled and older people More community events/ cohesion Encourage small business, artisans and creative industries Promote digital coms to respond to rural isolation Make best use of local skills and experience Create new and safeguard existing community facilities More truly affordable homes for all ages and needs</p> | <p>Young people continue to leave Land and housing costs unaffordable Market housing completely unaffordable on local salaries Too high shop rental costs Independent traders leave Increasing second home ownership Over and uncontrolled development in some areas Encroachment on AONB Villages and town coalesce Inappropriate development not supported by the community Increasing traffic congestion and car use Loss of car parking Inaccessibility continues Increasing flooding Further deterioration of some historic buildings Light pollution in countryside Poor internet connections for homes and businesses</p> |

1.9 The six themes of the Plan

1.9.1 The policies of this plan emerged principally from this SWOT analysis and an assessment of the aims and objectives for the plan area. The policies flow from and are informed by the vision, aims and objectives. These were presented in draft to the community and subsequently developed and adopted by the Neighbourhood Plan Steering Group.

1.9.2 As described in Section 2 in more detail, the vision emerged from a variety of sources including the outcomes of the earlier extensive community development project of 2003 as part of the Market and Coastal Towns Initiative (MCTI) and initial discussions with a cross section of local community organisations and individuals initiated by Kingsbridge Town Council in 2017. The six planning themes were then identified to provide a logical structure for the plan itself. Local residents' responses to the household questionnaire were used to gauge the priority order in which these themes are presented in the plan. In order of priority these themes are:

- The natural environment
- Affordable housing
- Business and the economy
- The built and historic environment
- Health, wellbeing and leisure
- Sustainable transport

1.9.3 There is a full analysis of the current situation for each of these theme areas, to underpin the relevant planning policies. The most pressing priorities are provision of genuinely affordable housing for purchase and for rent by local people, and smaller properties for older residents wanting to downsize. Also identified as needs are enhanced leisure provision for certain groups, especially 11 to 18 year olds, measures to help diversify the economy and local transport and road safety improvements. Protection of green spaces and heritage assets is also seen locally as a priority.



Kingsbridge, head of the estuary

1.10 Reinforcing Kingsbridge as a Market Town hub - a Vision for the future

1.10.1 In light of the Covid19 pandemic that we experienced in 2020/21, our vision included in the Foreword and the Plan's priorities were reviewed, and a vision statement added to reflect our latest challenges.

1.10.2 The pandemic has emphasised the relative remoteness of the area, increasing the need for a larger measure of local self-sufficiency. So, the key added factor is that there is now a pressing need for a robust and proactive strategy to sustain and develop Kingsbridge town and its resident community as the market town hub for the wider rural area. In particular, affordable housing for key workers, a more balanced labour market, transport infrastructure and service provision developments have become more urgent needs. The following definition was taken as starting point:

Definition of a Market Town

'a small town in the countryside, especially in Europe, that has a regular market and acts as a business centre for surrounding farms and villages'

Source; Cambridge Dictionary.



Kingsbridge at night

1.10.3 We have adopted the following vision statement for the town and parishes. This statement expands on the vision with a view to keeping Kingsbridge and the surrounding parishes fit for purpose in the post pandemic 21st century:

A Vision Statement for the Plan area

1. *The surrounding countryside, water and farmland are celebrated, protected and enhanced as the natural setting for the town and villages, a source of produce, recreation for all and biodiversity.*
2. *Development is supported where it helps sustain the settlements and enhances the area's historic and natural assets.*
3. *The town and surrounding villages are equally welcoming to residents and visitors, the principles of 'respect our unique natural environment, shop local and use local services' are communicated to all.*
4. *Healthy lifestyles are promoted with easy local access to recreation and health care for all ages and requirements.*
5. *There are locations for permanent and temporary seasonal markets that promote local produce and crafts. These should be flexibly planned and are complementary to local shops and businesses.*
6. *Local supply chains are encouraged and developed to serve the local markets and businesses.*
7. *A broad and balanced resident population by age and occupation is fostered to maintain the much valued, rounded and all-year-round resident community, which is also needed to sustain the capability of the town to provide services for the whole area. This is facilitated by pursuing a promotional strategy to encourage higher added value businesses based on higher level craft skills and intellectual property to locate in the town using access to superfast broadband, and thereby extending the range of salaries on offer locally.*
8. *Small/ micro businesses are encouraged, on employment sites, live work units or working from home.*
9. *Service businesses and infrastructure are developed to support efficiently the new and existing employment uses, for example supplies and servicing of materials, equipment and high quality IT and communications.*
10. *The town centre is re-imagined as retailing evolves; vacant retail units and other properties are redeveloped for employment, residential and community use without compromising the character and attractiveness of the place.*
11. *Provision of a range of affordable housing stock by size, tenure and price band is facilitated through partnerships between the local authorities, housing associations, a charitable community land trust and community minded landowners, brokered by the local authorities. An important aspect of this is to enable key workers to live locally rather than commute into the area.*
12. *Sustainable low carbon modes of transport are developed to interconnect the settlements and to link to transport, service and business hubs (Totnes, Plymouth, main line railway and A38) this can include safe cycle and walking routes, electric cars (with infrastructure), car shares and community buses. Where possible inward commuting by car should be reduced.*
13. *Future changes, whichever body proposes them, are supported locally through full engagement of the community. Community spirit and voluntary endeavour are supported and valued.*

1.10.4 Respecting Kingsbridge as a market town has always been an objective of this plan and in earlier strategies including the MCTI, past and current Development Plans. This aspiration and above vision statement must be fundamental and a cross cutting theme of the Plan. All policies will be tested and monitored against maintaining Kingsbridge as a successful market town for its wider hinterland. This cross cutting theme will be addressed in more detail in section 5.

1.11 A broader catchment area

A retail and leisure study by consultants PBA in 2016 prepared as evidence for the Development Plan and included as Appendix B11 emphasised the important market town role that Kingsbridge plays for its wider hinterland which relates to the Saltstone parishes. The principle that Kingsbridge has a wider economic and social hinterland was explored further in economic strategy research commissioned for this plan in November 2020 from JOHT Resources Ltd (Appendix A6) the report’s conclusions have informed the economic policies and cross cutting themes of the plan.

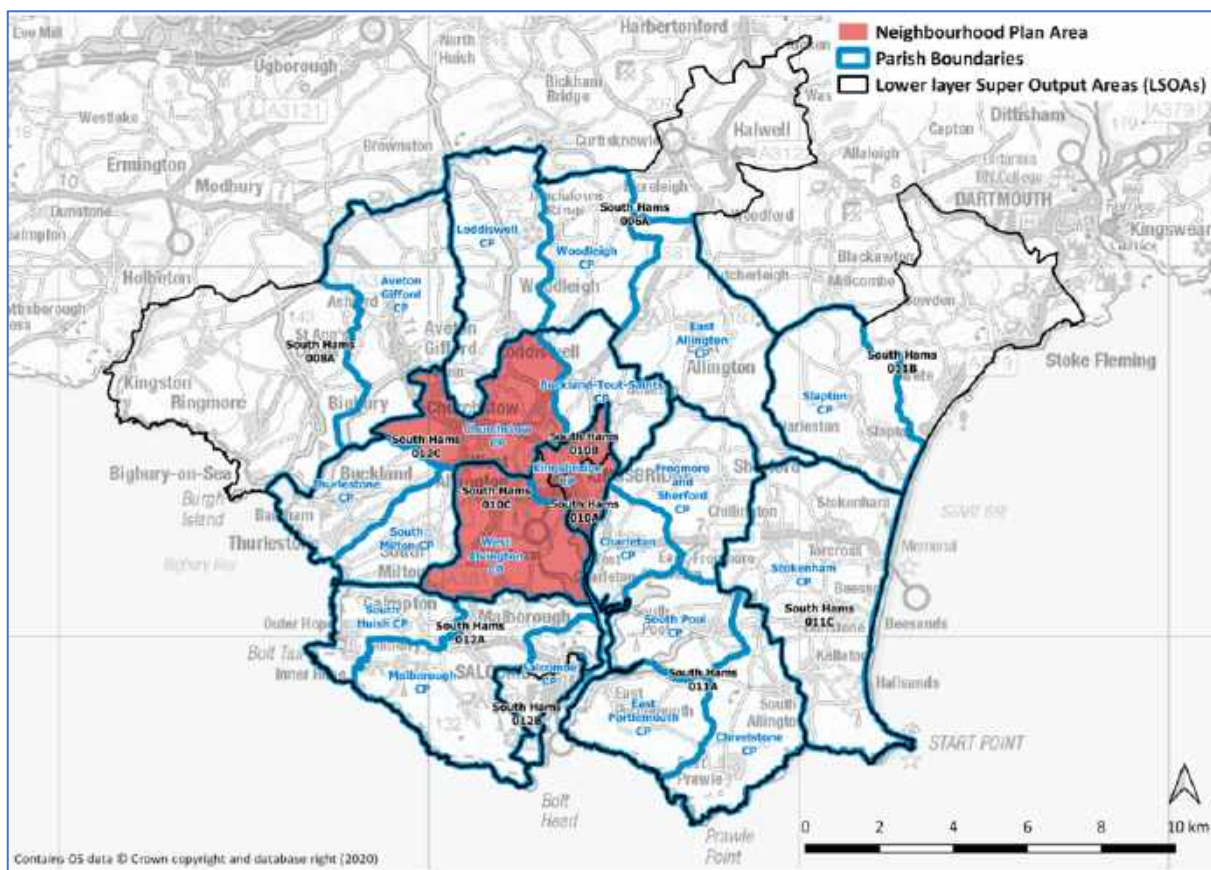


Figure 2 The Neighbourhood Plan area in red and the broader Saltstone Parishes catchment area lined in blue

2. Why we need a Neighbourhood Plan and how it has been prepared

2.1 What is a Neighbourhood Plan?

A Neighbourhood Plan (officially called a Neighbourhood Development Plan) is a way of helping local communities like Kingsbridge, West Alvington and Churchstow (KWAC) guide and influence the future development and growth of the area in which they live and work.

2.2 A Neighbourhood Development Plan can....

- Develop a shared vision for our neighbourhoods;
- Choose where new homes, shops, businesses and other development should be built;
- Identify and protect important local green spaces;
- Influence what new buildings should look like;
- Promote more development than is set out in the Joint Local Plan.

2.3 A Neighbourhood Development Plan cannot...

- Conflict with the strategic policies in the Joint Local Plan or Development Plan prepared by South Hams District Council;
- Be used to prevent development that is included in the Joint Local Plan;
- Be prepared by a body other than a parish or town council or a neighbourhood forum.

2.4 Statutory Planning Context

2.4.1 Neighbourhood Plans are required to be in general conformity with the National Planning Policy Framework (NPPF)2021 and the strategic policies of the Local Plan. The planning policies for the South Hams District are set out in the Joint Local Plan (JLP) for Plymouth and South West Devon. The JLP was adopted in March 2019. In addition the following documents helped to inform this Neighbourhood Plan:

- South Hams Local Development Framework Core Strategy (2006)
- South Hams Rural Areas Site Allocations Development Plan Document (DPD) 2011
- ‘Saved’ policies from the South Hams Local Plan (1996)
- Plymouth and South West Devon Supplementary Planning Document (SPD) 2020

2.4.2 The Neighbourhood Plan must also be in conformity with EU legislation extending beyond the 2020 transition period until such time as new legislation is introduced to withdraw or amend such legislation by the UK Government. Locality, the national agency that supports Neighbourhood Plans advises that the EU requirements

for strategic environmental assessment and habitat regulations (SEA and HRA) will continue to apply in the interim.

2.4.3 The Countryside and Rights of Way Act 2000 makes specific reference (s85) that Town and Parish Councils as public bodies must have regard to the statutory purpose of an AONB to conserve and enhance natural beauty. This obligation can be reinforced through their Neighbourhood Plans. The NPPF provides specific guidance for those preparing Neighbourhood Plans that include AONBs. This includes:

- the presence of AONBs can restrict development in order to help achieve sustainable development;
- 'great weight' should be given to conserving their landscape and scenic beauty;
- AONBs have the highest status of protection in relation to landscape and scenic beauty, equal to National Parks;
- the conservation of wildlife and cultural heritage is important in AONBs;
- Major development in AONBs should be refused unless it meets specific special tests.

2.4.4 In 2020 a JLP Supplementary Planning Guidance document was adopted by South Hams, West Devon and Plymouth Councils. It gives guidance on implementation of policies in the JLP. It also comments on how implementation of the JLP can play a role in supporting Climate Emergency and Biodiversity Emergency and actions towards low carbon solutions and carbon neutrality.

2.4.5 The Thriving Towns and Villages (TTV) approach set out in the Development Plan (JLP) is focused on achieving sustainable development and rural sustainability. Building self-sufficiency and resilience of the local employment market to meet local needs and attract new sectors and investment is seen as part of creating this strategic outcome, set out in Strategic Objective SO7, as is enhancing the links between the Main Towns and the surrounding countryside to support healthy communities. The highest levels of growth are targeted at the Main Towns, with a view to this enhancing their role as service centres as well as provide for their own growth. Specifically for Kingsbridge it sets out a spatial priority SP3 that include mixed use development to meet housing and employment needs, maintaining its retail offer and the integrity of the town centre, and sensitive regeneration of the central area and quayside, the latter further elaborated in Policy TTV10 inclusive of mixed uses e.g., employment and commercial, community uses and housing.

2.4.6 Separately, the JLP sets out its approach to economic development which is supportive of new and existing businesses and greater rural economic resilience. Policy DEV15 sets out where support for rural economy proposals would be relevant, including maintaining/expanding existing employment sites, supporting home working/business start-ups and improving internet connectivity.

2.4.7 SHDC does not have a current district-wide economic policy. It's most recent strategy publications relate to the Council's own assets and their management or use. SHDC has in 2020 taken steps to create a business engagement framework which would provide a structured approach to communication between the Council and local

businesses on economic development issues, support their effective representation within the Local Enterprise Partnership and Team Devon and facilitate the development of sector specific projects and support of economic strategies. In the absence of a current economic policy the NPG commissioned a research report by JOHT Resources (November 2020 Appendix A6) to inform the economic strategy for the plan area.

2.5 How the Plan was prepared

2.5.1 The idea to prepare a Neighbourhood Plan for Kingsbridge, West Alvington and Churchstow was first put forward in 2017. With support from the Town and Parish Councils and the community a steering group was formed, and a series of events and surveys were planned to identify the issues, consider proposals and policies to be incorporated in the plan. This plan has been prepared primarily by the community for the community and has only been possible with considerable volunteer support.

Neighbourhood Plan timeline

| Date | Activity |
|--------------------|---|
| December 2017 | NP briefing by Devon Communities Together to the Town Council |
| January 2018 | Initial meeting at Quay house and Neighbourhood Plan Group (NPG) formed |
| February 2018 | First Steering Group Meeting and workshop on the issues and priorities |
| March 2018 | Agreement to include Churchstow and West Alvington in the plan. |
| March 2018 | Website created |
| September 2018 | Preliminary survey of community issues issued |
| Nov. 2018 | Neighbourhood Plan area designated |
| Feb/Mar 2019 | Publicity including posters, flyers distributed around all parishes. Community questionnaire sent to all households |
| Feb 2019 | Banner erected over Fore Street and around the town promoting engagement on the plan surveys |
| February 2019 | Public meeting held at West Alvington Parish Hall |
| March 2019 | Community consultation reported |
| February 2019 | Local community invited to join Focus Groups to address key themes |
| March to June 2019 | Focus groups working engaging the community on the issues, developing objectives and policy areas |
| July 2019 | Focus Group plenary meeting to give feedback on findings |
| August 2019 | Draft Vision prepared |
| October 2019 | Draft outline for plan, themes and policy areas produced and issued for informal comment to SHDC and the community. |
| Oct 2019 to Jan 20 | Mini exhibitions in Fore Street shop windows of draft issues, themes and opportunities. |
| September 2020 | First draft of the plan produced and issued to the community and posted on the website. |
| October 2020 | Socio-Economic Survey commissioned and reported to the Steering Group |
| Jan to April 2021 | Engagement of landowners affected by the Plan |
| May to July 2021 | Regulation 14 Pre-submission consultation |
| December 2021 | Submission to SHDC for Regulation 15 |

2.5.2 The themes and the objectives of the Plan have been taken from the views and wishes expressed by the community. The policies and proposals of the Plan have been developed with the Neighbourhood Plan Group and focus groups; they support and help deliver these themes and objectives. To help refine the policies further consultation has been carried out with landowners, officers of South Hams District Council, and the South Devon AONB Unit.

2.6 Community Survey Responses

2.6.1 A summary of the responses are included in Appendix C1. The first survey of the community was completed on 9 March 2019. The process gathered comments from Kingsbridge, West Alvington and Churchstow residents. The data collection methods included an on-line form on the Plan's website, leaflets were mailed or distributed by hand to the majority of residential and business addresses in the town and villages. Members of the steering group engaged with local schools and clubs. All the questions were carefully worded to avoid leading questions on any particular topic or demographic. The questions asked were:

- What do you Love about the area?
- What are the Good things about the area?
- What would you change?
- Other topics do you want to raise?
- Any Good ideas?
- What is your Priority?

2.6.2 Each comment was analysed and recorded on a computer database categorised by the following most common themes with some comments falling into more than one theme:

- Natural Environment
- Housing and homes
- Business and Employment
- Built Environment
- Parking and transport
- Health and Wellbeing

2.6.3 Analysis of the comments under these themes formed the basis for setting up 6 Focus Groups to analyse the comments and propose the aims and objectives for the plan. Reports from these Focus Groups were consolidated and discussed by the Steering Group at a meeting in July 2019 which started drafting the outline plan.

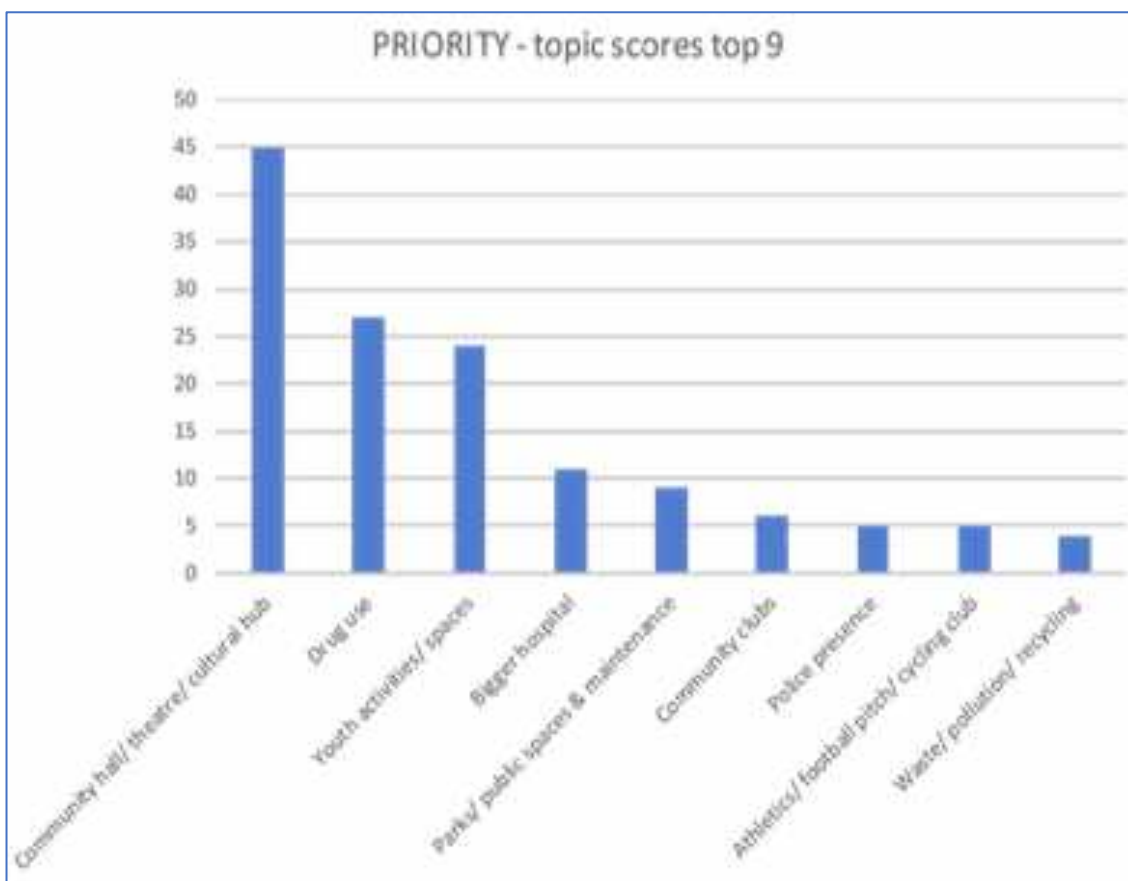
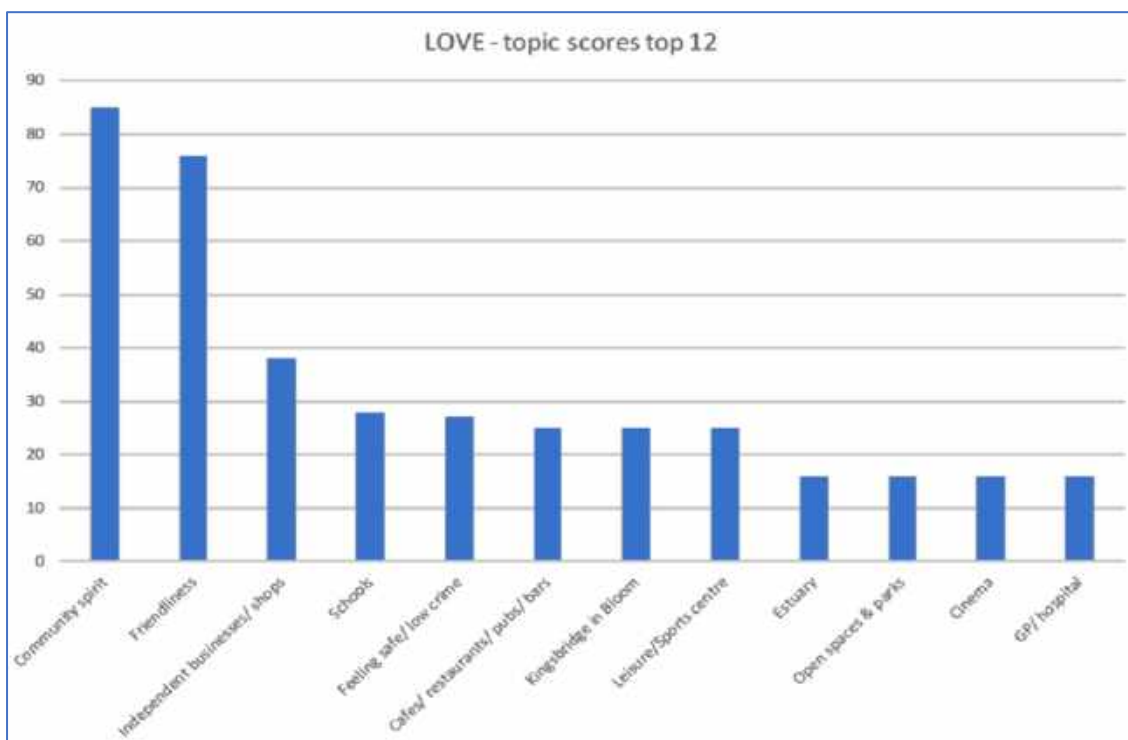


Figure 3 summary of community responses- What the community love about the plan area? and their priorities for change (March 2019)

2.6.4 The total number of responses to the first survey was 701; 566 from Kingsbridge, 56 from West Alvington and 79 from Churchstow. The age breakdown of respondents was:

| Age range | No. | % |
|--------------|-----|----|
| Less than 16 | 19 | 3 |
| 16-24 | 89 | 13 |
| 25-44 | 145 | 21 |
| 45-64 | 179 | 25 |
| 65+ | 247 | 35 |
| Not declared | 22 | 3 |

2.6.5 Over 40% of the respondents were retired. Young people and those in employment were initially poorly represented. This resulted in further initiatives with local schools, the DCC Family Advice team, Kingsbridge and Area Local Sports Forum and engagement of local businesses. Following such initiatives, a total of 5139 comments were received and categorised as:

| Theme | No. | % |
|-------------------------------|------|----|
| Housing | 665 | 13 |
| Built Environment | 482 | 9 |
| Health & Wellbeing | 1619 | 31 |
| Transport | 801 | 16 |
| Business & Economy | 745 | 15 |
| Natural Environment | 827 | 16 |

The most popular issues covered are:

| Issues | No. |
|------------------------------------|-----|
| Car parking issues | 423 |
| Local community issues | 384 |
| General Housing issues | 360 |
| Affordable Housing | 289 |
| Young people | 275 |
| Community issues | 238 |
| Fore Street/ high street | 232 |
| Drugs & substance abuse | 156 |
| Second homes | 142 |
| Community hall/ venue | 134 |
| Rent (business and housing) | 124 |

2.6.6 The various focus groups analysed the issues raised and detailed responses, further research was instigated, and extra engagement held with the community or appropriate interest groups. In summary the key areas and messages covered:

| Theme | Area and topic | Message |
|---|-----------------------------------|--|
| Built Environment | General points | <ul style="list-style-type: none"> • Potential development sites • Promote a local housing style • Settlement boundaries and avoid coalescence • Promote brownfield sites |
| | Fore Street, Kingsbridge | <ul style="list-style-type: none"> • High regard for this main shopping thoroughfare and the independent businesses that underpin it. • Frustration with the empty units and upper floors. • Need to protect and respect this historic core of the town, including the Conservation Area and Listed Buildings. • The retail offer to reflect the area demographics • Parking facilities to reflect the demand generated by residents, workers, and visitors. |
| | Quayside/town square, Kingsbridge | <ul style="list-style-type: none"> • Quayside has a key role to play in flood risk management and unsuitable for intensive development. • The continued importance as a principal car park for the town, albeit with some additional green spaces/planting, and some seasonal “pop-up” food and retail outlets. • Younger respondents unfavourably commented on the location and state of the skateboard park. • The poor location of the public WCs • The Quayside and Embankment opposite represent the “Jewel in the Crown” of the head of the estuary. • Objection to the proposed siting of a hotel adjacent to the Cattle Market car park. |
| | Lower Union Road, Kingsbridge | <ul style="list-style-type: none"> • A key brownfield site with potential for redevelopment and opening up adjacent land. • Contamination from past land uses, and fragmented land ownership possible negative factors. • Car Park capable of further development with addition of an upper deck. |
| | West Alvington and Churchstow | <ul style="list-style-type: none"> • Desire to maintain a clear physical separation from Kingsbridge, whilst contributing to the success of Kingsbridge as their business and recreation hub. |
| | Heritage Buildings | <ul style="list-style-type: none"> • Control development with a negative impact on them • Survey of heritage assets |
| Business, Employment & Economy | | <ul style="list-style-type: none"> • Support for a wide range of independent shops and with the farmer’s market. • Pop-up shops and improving the appearance of Fore Street. • Move larger businesses out of town and use the space vacated for employment units and housing. • Employment key to improving the area long term (including keeping young people in the town, raise the average household income, decrease the number of commutes in and out of town) |

| | | |
|--|----------------------------|--|
| | | <ul style="list-style-type: none"> • Knowledge based businesses preferable, flexible office space, limited industrial development, reduction in business rates. • Support for sustainable farming. • Support for start-up businesses, cooperation with neighbouring parishes for land. • A link with a training provider / university. • Tourism necessary for the town's economy. • More leisure activities (specifically marine) |
| Health, Wellbeing & Leisure | Kingsbridge | <ul style="list-style-type: none"> • Community spirit, friendliness, feeling safe, community groups. • Diversity of Independent businesses, shops, food and drink. • The Estuary, Kingsbridge in Bloom, scenery, high quality natural environment. • Cinema and Leisure Centre highly valued. • Drugs, drinking, and anti-social behaviour. • More facilities for old and young people. |
| | Community Hall | <ul style="list-style-type: none"> • Revive and update the existing plans and concept. Consider alternative sites. |
| | Young people | <ul style="list-style-type: none"> • Better skate park • More facilities |
| | Outside leisure facilities | <ul style="list-style-type: none"> • More facilities • Improved open space • Primrose Trail |
| | Older people | <ul style="list-style-type: none"> • Address isolation/ loneliness |
| | Churchstow | <ul style="list-style-type: none"> • Village green • Play area • Community facilities • Walking routes/ connections |
| | West Alvington | <ul style="list-style-type: none"> • Expand footpath network • Safeguard existing walking areas • Improve village hall • Put netball court into new use • Improve cricket pitch |
| | Healthcare | <ul style="list-style-type: none"> • Improved provision • Safeguard existing facilities |
| Housing and Homes | | <ul style="list-style-type: none"> • Greater provision of truly affordable low cost homes including flats. • Fear of new builds turning into second homes/ holiday rentals • No more building in the AONB and countryside • Bring forward brownfield sites • Mandatory renewable and low energy features • Need for an up to date survey |
| Natural Environment | Countryside | <ul style="list-style-type: none"> • Important views to the countryside • Maintain locally distinctive features • Mitigate against climate change • Need for wildlife survey • Dark skies/light pollution • Settlement boundaries |
| | Estuary and foreshore | <ul style="list-style-type: none"> • Avoid development impacting on the estuary • Survey and protect wildlife • Improve water quality • Coordinate with Salcombe NDP |
| | AONB | <ul style="list-style-type: none"> • Expand the AONB |

| | | |
|-----------|----------------|---|
| | | <ul style="list-style-type: none"> • Respect existing planning guidance • Encourage LPA to enforce against the building of unconsented development in the AONB |
| | Green Spaces | <ul style="list-style-type: none"> • Designate Local Green Spaces • Engage major landowners on access through woods and countryside • Safeguard green corridors |
| | Climate change | <ul style="list-style-type: none"> • Sustainable building supported • Sustainable transport • Sustainable drainage |
| Transport | | <ul style="list-style-type: none"> • Pedestrian and cycle friendly • Off road routes for cycles and walkers • Better sustainable tourist hub • Extra parking • Charging points for electric cars • New community car park in Churchstow • Road safety and traffic flow • Expand public transport • Control delivery vehicles |



3. About Kingsbridge, West Alvington and Churchstow Parishes – history, key local factors, and implications for the future.

3.1 The parishes and the three settlements in the area covered by the plan have a long shared history, with Kingsbridge gradually emerging as the main centre during the early Middle Ages. From then onwards the town has provided community and commercial support for a wide rural area which extends well beyond the plan area.

3.2 Early history of the Neighbourhood Plan area

3.2.1 The early history of the Neighbourhood Plan area is unusual and stretches back to pre-history. West Alvington was the earliest settlement to be recorded in royal documents around 700 A.D. West Alvington and Chillington were royal manors, held directly by the King. At that time, before Kingsbridge expanded onto reclaimed land at the lower end of Fore Street, the estuary high tide line extended up the current Mill Street and Lower Union Road to the west and up the lower end of Church Street to the east. The road from Alvington to Chillington passed over a bridge and causeway in this tidal area. It appears that because of the link to the two royal manors it became known as the Kings Bridge, lending its name to the growing town.

3.2.2 At some point after 1136, the manor of Norton which included Churchstow and Kingsbridge was given by the Norman King to the Abbot of Buckfast. In 1219 the abbot was granted a market charter for Kingsbridge allowing him to exploit its prime location which led to it starting to develop into the commercial centre for the central South Hams. The abbot kept a hall in Kingsbridge to entertain when off duty. By 1238 the town was given borough status and was the main centre in Stanborough medieval administrative Hundred, which covered much of the current wider Kingsbridge area. By the 13th C the outlines of the modern settlement pattern and network of roads and community and business services supporting the then agricultural economy had formed.

3.3 History of Kingsbridge and its wider role

3.3.1 The modern town includes the two ancient parishes of Kingsbridge and Dodbrooke. Whilst the town as a whole has been known as Kingsbridge since it was first mentioned in a Saxon royal charter of A.D. 962. Dodbrooke functioned locally as a separate commercial centre in certain respects until well into the 20th century.

3.3.2 Kingsbridge was part of Churchstow parish, and its church was also the parish church for Kingsbridge. It was not until the early 14th century that the town was allowed to enlarge St Edmunds chapel into a parish church and become an ecclesiastical parish in its own right. Dodbrooke parish was separate, not part of Churchstow parish, and predates Kingsbridge.

3.3.3 Kingsbridge was established on the hill ridge between two stream valleys with houses and other buildings lining what is now Fore Street. Their ancient smallholding burgage plots are still visible in many cases marked by the gardens of the current versions of those houses and shops. The two town streams were diverted to power the town mills, running parallel to Western and Eastern Backways, which some historians believe may also mark the line of Saxon town defensive walls.

3.3.4. Dodbrooke is on a very ancient west to east road following the high ground from Modbury and Churchstow towards Dartmouth via Washbrook, which means it also had an early church predating the current 15th century one. It was in Coleridge Saxon administrative Hundred and was a separate manor to Kingsbridge. Dodbrooke was granted a market charter in 1257 and treated as a borough by 1319, but never grew as much as Kingsbridge.

3.3.5. Both towns grew steadily in late medieval times. They were well established as the centre for the whole rural area by the Tudor era and had a market arcade by 1586 and then the Grammar school by 1670. (Both buildings still surviving.) Over the ensuing 200 years businesses and trade skills were established to support the area. Alongside livestock markets there were tanneries, breweries, an iron foundry, metalworks producing agricultural tools and machines, mills and agricultural feed merchants, banks, numerous inns and hotels, secondary schools and professional practices in law and medicine.

3.3.6. The town became a route centre for Victorian turnpike roads, providing extensive transport support for trade and travel in the wider rural area and connections with the major regional towns. As a thriving port before the estuary silted up in the early 20th century, large quantities of bulk goods were moved into and out of the area by water. Sailing ships, and later steam ships, of up to 500 tons, including the famous fruit schooners, were built at boatyards on the upper estuary and operated from there by local families.

3.3.7. The railway line from South Brent opened in 1893 principally for trade purposes. In time it enabled tourism and holiday homes to start growing and signalled the change of the area from agriculture and marine business to the varied commercial and tourism profile we recognise today. The railway closed in 1963 under the Beeching cuts.

3.4 Kingsbridge Town – current profile

3.4.1 Kingsbridge, including Dodbrooke, in 2020 is a community of around 6000 residents living in just over 3000 households.

3.4.2 South Hams District Council and Devon County Council identify the town in their planning structure as the market town hub for the surrounding 19 parishes in an area bounded by Slapton, Salcombe, Thurlestone and Loddiswell (see Figure 2).

3.4.3 Much of the attraction of modern Kingsbridge as a place to live lies in it being a year round community, retaining many of the local commercial and community services

lost in some other holiday area towns. This has been reflected in it retaining a more balanced population profile and remaining the market town for a large rural area.

3.4.4 Some of this population stability has been due to it being a desirable retirement location. The town is also becoming attractive to second homeowners and those buying houses as holiday lets, so there is also an increasing transient population. As the main shopping town for this part of the South Hams tourism is a significant part of the economy, for the summer six months.

3.4.5 The economy is much broader than just tourism, although this adds much custom to the retail, marine, catering, hotel and entertainment businesses. Agriculture is still a major contributor along with construction, and property maintenance. Professional services and motor and transport related business are also significant, the latter important because of the high dependence on cars.

3.4.6 The retired, second homes and holiday lets have contributed to a strong housing market. Average house prices are way beyond the mortgage ceiling of local young people. Rental costs are correspondingly high, restricting the ability to save for a deposit for house purchase. The attractive steeply sloped topography also affects the property market; land suitable for building is in short supply thus increasing prices.

3.4.7 The increase in on-line shopping has affected the retail centre of Fore Street, but many local businesses are surviving well by matching on-line convenience with good customer service. Fortunately, the two major national supermarket branches are in town within a few minutes' walk of Fore Street, so the heart of the town is retained. This positive picture is confirmed by there still being three major banks in the town.

3.5 History of West Alvington

3.5.1 West Alvington sits high on top of the hill above Kingsbridge and is dominated by All Saints Parish Church. The church and surrounding settlement command wide views to the estuary and countryside. The rich history of the village goes back to around 700 AD originally called Aelf(a)s Tun in 1086, the village has gone through seven name changes ending with 'Alvyngtone' in 1328. It was raided and occupied by the Danes around 700 AD, and later in 850 AD by the Vikings. The area was entered in the Domesday book in 1086 as a Royal estate, all lands from Salcombe to Stanborough, Charleton and Kingsbridge became chapelries of the parish, its wealth mainly came from the wool trade.

3.5.2 The original church dates back to 909 AD and current church was built in the early 15th C, the third church on this site, a magnificent building, with distinctive carved pinnacles twenty-two feet tall, making the Church visible from a wide area. The stone was quarried from nearby Charleton. The bell-chamber houses six bells hung in 1775, including four dating back to 1533. The bells have never been re-tuned and each one is inscribed with the name of a child who sadly passed, aged between one and twelve years old, all from the family of Ilberts, these two facts make the bells very unique and rare nationally.

3.5.3 The parish has 28 designated listed buildings/monuments; 2 Grade I and 26 Grade II (one of which is Grade II*). In addition to these designated assets, there are numerous non-designated ones included in the plan that are considered to be important to the local community as they are locally distinctive and add to our sense of place, wellbeing and cultural identity.

3.5.4. The principal Manor, Woolston, was an ancient holding of the crown. It was given to King John and later to Alice de Rivers, Countess of Devon. Later, King Henry granted it to Matthew deBesills. Parts of Woolston are Grade 2 listed. The other significant manor was Gerston Manor formerly one building and now two including South Manor which are also Grade 2 listed. The house and lands were given to the “Bastard” family by William the Conqueror around 1088 and they resided there until 1776. Sir William Bastard was twice High Sheriff of Devon, along with Sir Francis Drake. Sir William Bastard’s Memorial can be seen in the Church. Bowringsleigh is an Elizabethan Manor house, built in 1303, it includes a chapel and is Grade 1 listed. The Bowring family resided there from 1332 until 1543 when it was acquired by William Gilbert. In 1696, it was bought by William Ilbert. The annual village fete is still held in the stunning grounds of Bowringsleigh Manor, which is recorded as having the most extensive and best-kept garden records to survive in Devon. Easton Farmhouse is an early 17thC farmhouse, but records show a building there in 13th C. The former vicarage Roke is Grade 2 listed. In the centre of the main street there are three listed cottages, formerly a single building and built by the masons who constructed the church using the same stone, later they became the Poorhouse. Between 1892 and 1896 two major fires were recorded with 16-18 houses burnt down on either side of the main road; this may account for the difference in the facades.

3.5.5 Traces of Bronze and Iron age activity have been recorded in West Alvington parish. Many local fields contain evidence of catchment meadows, an ancient irrigation system. A number of lime kilns can be seen, including near Blanksmill bridge. Past working quarries are also evident at Easton Farm and Longbrook, where the stone was quarried to build Longbrook farmhouse and surrounding barns.

3.6 West Alvington Parish- current profile and issues.

3.6.1 West Alvington is probably the largest parish within the South Hams, measuring 1130 hectares, while the village itself is just over 10 hectares. The resident population of Westville and Alvington is 2,042 (2011 census) with the majority of properties being owner-occupied and second homes in the minority. Once a sustainable and independent village with grocers, cobbler, blacksmith, garage, butcher, builder, dairy, pub and even a hospital. All of the parish lies within an Area of Outstanding Natural Beauty (see Figure 5) and both sides of the main street and part way down Lower Street are within a conservation area (see Figure 12) that extends the length of the village. There are four small ‘estates’ in the village, one is a recent new build development of 17 houses, with 8 affordable homes. The previous developments were all built around sixty years ago. Being within walking distance of Kingsbridge and with good transport links to main routes West Alvington is a popular village, houses sales are infrequent. The connection to Kingsbridge was improved when a new, safe footpath to Kingsbridge was completed recently.



West Alvington; all the parish lies within the South Devon AONB



View of the green gap between West Alvington (left) and Kingsbridge (right) Local Important view (WAV 8)



All Saints Church

3.6.2 The village is set in dramatic rolling hills which are predominately farmland. Many of the farms have passed through the generations, some for over a hundred years, including Cholwells built in the 16th C. Farming forms the mainstay of village life and the economy for the community. Many farms have ceased or combined to increase acreage to make them more economic. Other farms have diversified into tourism or small home-based enterprises. At present, the village has two visible businesses; - the Ring o Bells public house, a valuable asset at the heart of the community which we hope will remain and G.H. Rhymes and Son builders established for 100 years.

3.6.3 There are many walks with beautiful vistas and green lanes to Collapit Bridge, Blanksmill, Gerston and Easton and through four mature woodlands (see Figure 8). One wood offers the most stunning views; another attracts people from near and far in spring to see the amazing sight of the woodland floor covered in “a carpet of blue with bluebells”. West Alvington Wood is considered by the community to be one of the village’s most cherished local assets and has provided leisurely enjoyment for centuries to past and present generations. This wood contains nine beech trees, two are considered extremely rare; they were engraved by American WW2 soldiers and known as “conflict arborglyphs”. The soldiers carved the trees while they camped,

trained, and waited for the D-day landings. Their remarkable story, together with a recent memorial given by parishioners to honour them is available to view.

3.6.4 There are a number of challenges facing the village:

- Significant traffic and speeding issues through the village and a shortage of residents' car parking have become more serious in recent years. The Parish Council, together with a local traffic group (See Appendix B39) DCC Highways and Councillors are considering measures to mitigate this. The forthcoming building of 52 houses on West Alvington Hill (see Figure 20 site ACH5), with spaces for around 120 cars has escalated congestion and safety concerns.
- The present C of E Primary School, built-in 1864, has seen many alterations over the years. It attracts children from Kingsbridge and the development could add to pupil numbers, which providing space can be found would be welcomed, ensuring continuity and contribution to the learning of the young and central to village life.
- Although close neighbours to Kingsbridge, with new development the 'green' gap has reduced considerably, down to just two fields, one is a school playing field. Further development in this green gap will cause coalescence and severe loss of village identity.
- With more and more people working locally and from home the parish could benefit from a small business hub either through the conversion of an unused barn or sensitive and discreet purpose-built units.
- Plans for a new village hall are progressing; the scheme could work in parallel with a business hub and new community space, hosting craft markets and a variety of functions, socially and financially benefiting the village community as a whole.

3.7 History of Churchstow

Churchstow may be the most ancient of the three settlements in the plan area. It takes its Saxon name from the existence of the early church on this high hill ridge site. The village grew up around the church and on the slope to the south. The parish extends seawards towards the ancient port at Bantham on the Avon estuary and looks down the hill onto the Avon Valley to the north west. It is thought by some historians that a church may have been established originally on the site by Celtic missionaries who had arrived by sea. The current parish church building is 14thC. After the Parish of Kingsbridge was created in 1414 and the Rector moved to live in Kingsbridge, Churchstow remained the mother church for Kingsbridge town until the early 1980's



The Church House Inn, Churchstow (CV8)



Saint Mary the Virgin Church



The church and village sit above the surrounding countryside and South Devon AONB (CV5)

when Kingsbridge was split away from Churchstow, and the historic ecclesiastical link was severed. The parish was part of the large manor of Norton recorded in Domesday which was granted to the Abbot of Buckfast Abbey. The manor included what is now Kingsbridge as well and remained in monastic hands until the dissolution. The 16thC Church House Inn may have originally been, like many of this name, the monastic lodging house for visitors on Abbey business. Leigh, another Domesday manor now a farmhouse, was a cell of the Abbey in the 15thC and still retains its monastic walls and gatehouse. Norton, Combe Royal, Sorley and Warcombe are all large medieval farm sites with historic houses originating then, albeit updated subsequently. The village and parish were agricultural in nature, sustained originally by monastic patronage and wealth, and closely linked to Kingsbridge for commercial and community services.

3.8 Churchstow Parish- current profile and issues

Churchstow has a population of 465 (2011 census) and has remained a compact village with a linear centre along the main A379 Kingsbridge to Modbury and Plymouth road. Since the 1970's there has been a significant amount of housing built to the south of this road around the edge of the old settlement. The latest development of some 16 family homes on Reeves Way was completed in around 2016. On the eastern edge of the village is the South Hams Business Park built on land owned by the McCarthy family and accommodates a range of thriving businesses serving the parish and the wider area. The rest of the parish is still rural and centred on agriculture. The A379 is busy with local and increasing longer distance traffic heading for Plymouth and the A38 trunk road at Ivybridge, a significant proportion of this being heavy commercial vehicles for which there is no viable alternative route. The pub and the village shop sit on this road at a narrow point and at times during busy periods servicing these can cause traffic congestion. Passing trade for the shop and pub are of great benefit, at present there is no village car park which adds to traffic challenges. The village's location on a main route makes it attractive for more housing and other development, despite recognition by SHDC in the Development Plan that the village does not meet their sustainability criteria and as such has not been designated suitable for further development. A project within the parish has recently been granted planning permission to convert an existing building into community facilities focussed on young people, it includes a workshop, cafe, 5-a-side pitch, skate bowl, and adventure play facilities it received very strong support from the local community.

3.9 The landscape and topography of the Neighbourhood Plan area

3.9.1. This is typical of the South Hams; it is entirely composed of largely unspoilt rolling wooded hills, some with steep gradients, and deep valleys, studded with rich farmland wherever the gradient of the land allows. The head of the tidal Kingsbridge Estuary reaches into modern Kingsbridge town, to the foot of the high street (Fore Street). West Alvington parish borders the same estuary further seawards. Churchstow parish borders the Avon Estuary, the next tidal valley westwards.

3.9.2. For clarity, whilst the Avon Estuary is fed by a significant river, there is no major freshwater outlet into the Kingsbridge Estuary, and it is therefore properly described as a ria and has unique characteristics.

3.9.3. Because of this setting most of the Plan area sits within the South Devon AONB designated in 1960. The Estuary margins are included in the wider South Devon Undeveloped Coast policy area. The Estuary (ria) itself is heavily protected under both the AONB and Site of Special Scientific Interest designations. Its tidal, almost wholly sea water, rather than sea and fresh water mixed, environment contains a number of rare plant and animal species. The landscape, water and countryside are therefore heavily protected by law.



Figure 4 Undeveloped Coast policy area within the Plan Area (shaded purple)

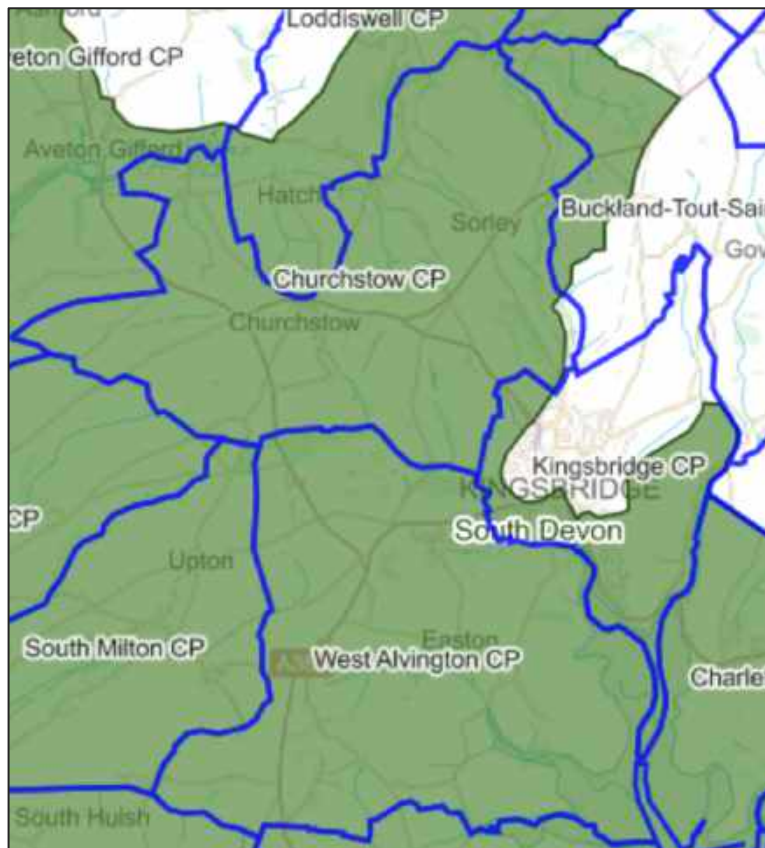


Figure 5 extent of the South Devon AONB (shaded green) across the three parishes

3.9.4 The landscape qualities of the plan area are described in the Landscape Character Assessment for the South Hams and West Devon (LUC 2017) and included as Appendices B4 and B5. The types of landscape are predominantly *estuary* (4A) *river valley slopes* (3G) with more inland areas as *inland elevated undulated land* (5A). In addition the area includes *urban areas* (7) *lower rolling farmed settled valleys*(3B) and *sparsely settled valley floors* (3C) The location of the types of landscape is illustrated in Figure 6.

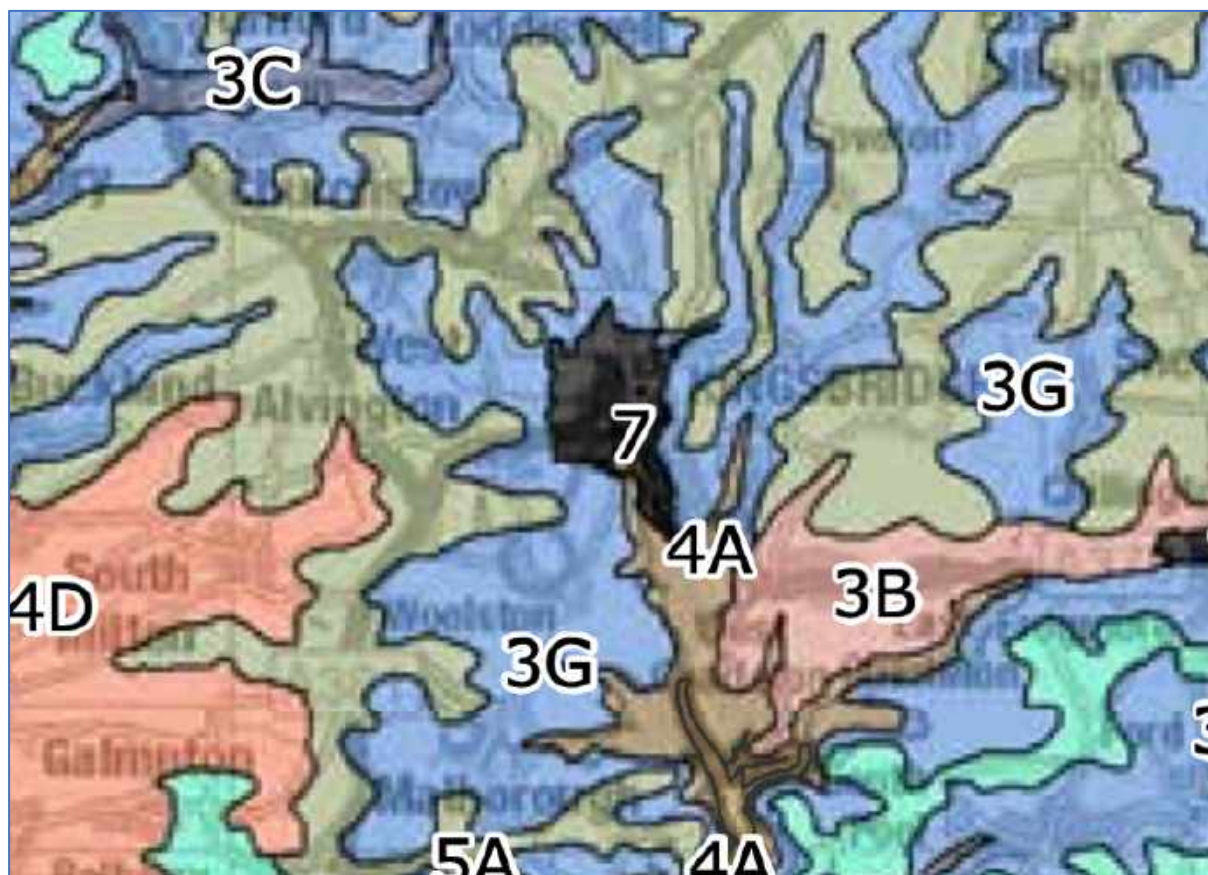


Figure 6 types of Landscape Character in the Plan area

3.9.5 The Geology of the area and source of local materials

The whole of the neighbourhood plan area sits within a band of Devonian Meadfoot Beds of slates and mudstones. These are sedimentary rocks laid down about 400 million years ago. They are largely grey in colour but vary in tone from brownish to bluish through to greenish. The gradients of the valley sides and the bedding joints of the underlying rock mean that the area is very free draining. The exception to this is the land around the estuary heads and inlets, much of which is reclaimed land and subject to flooding on high tides and onshore gales. The slates are softer than the limestone, they are easily worked by splitting for building stone, and even for roofing slates when best quality. They outcrop everywhere along the estuary and valley sides and are seldom far below the surface anywhere. They were extensively quarried in the area for local building construction. The majority of local stone buildings and boundary walls are built of the local slate, either dressed and pointed or rendered, slate clad and whitewashed for weatherproofing. Meadfoot Slate continues to form the basis of the locally distinctive vernacular of the plan area's built environment.

3.9.6 The Habitats Directive and Wildlife Sites

The Habitats Directive¹ requires "competent authorities (e.g., South Hams District Council) to decide whether or not a plan or project can proceed having undertaken the following appropriate assessment requirements to:

- Determine whether a plan or project may have a significant effect on a European site²;
- If required, undertake an appropriate assessment of the plan or project;
- Decide whether there may be an adverse effect on the integrity of the European site in light of the appropriate assessment."

This document in its final form incorporates advice from South Hams District Council provided on the draft plan (See Appendix A9).

Reports were prepared for all the parishes by the Devon Biodiversity Records Centre³ these are included in the evidence base as Appendix B17. The resource maps identify a number of statutory, non- statutory and other sites of interest within the parish. These wildlife sites are used to inform the Plan and future development.

¹ Conservation of Habitats and Species Regulations 2010

² European sites include: special areas of conservation (SACs), special protection areas (SPAs), sites of Community importance (SCIs), and candidate SACs

³ Wildlife site resource maps and species records for Kingsbridge, West Alvington and Churchstow October 2019

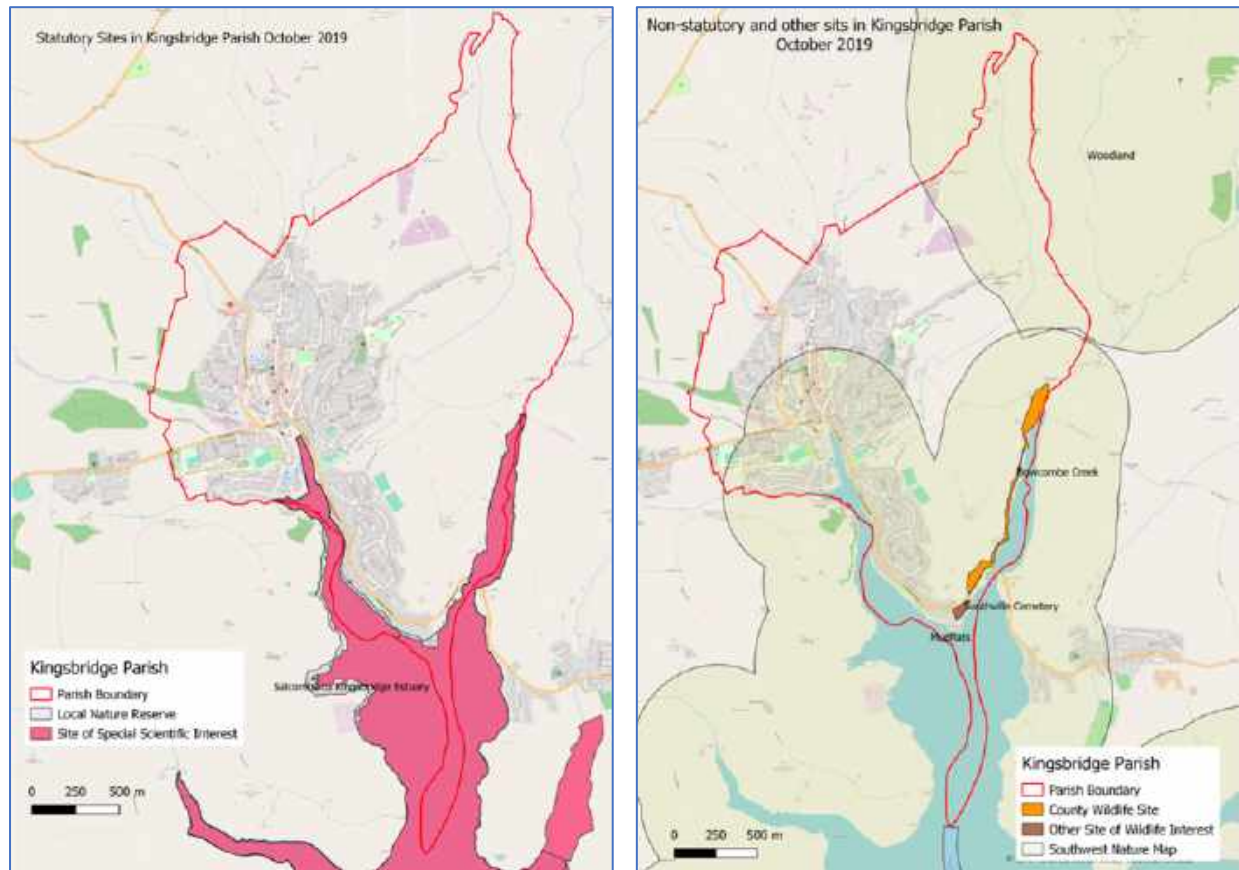


Figure 7 Statutory and Non-Statutory wildlife sites in Kingsbridge Parish

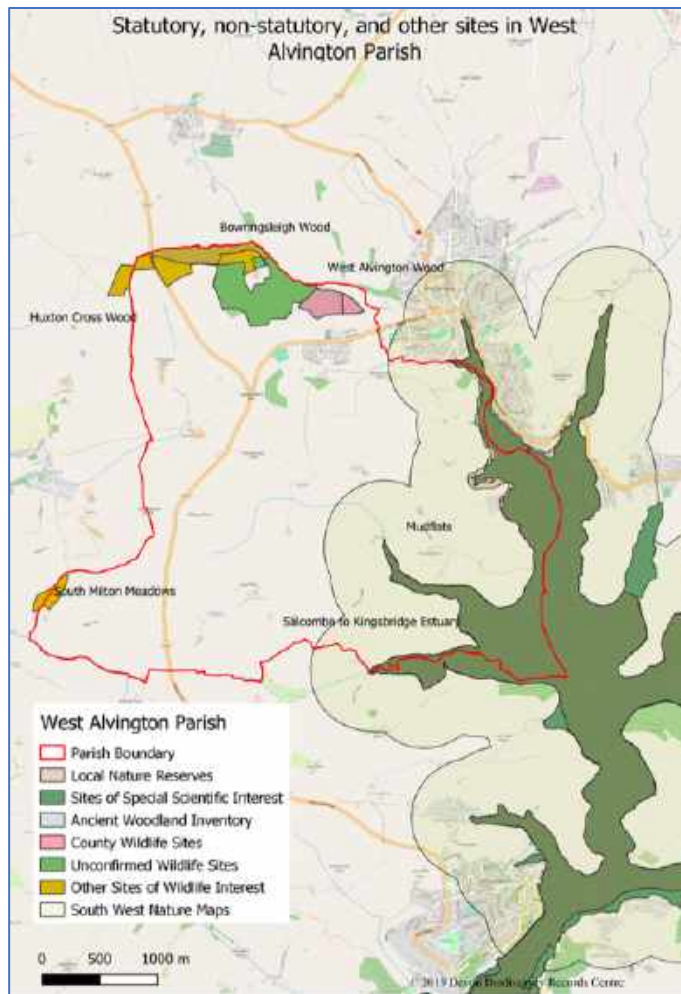


Figure 8 Statutory, Non-Statutory and other sites in West Alvington Parish

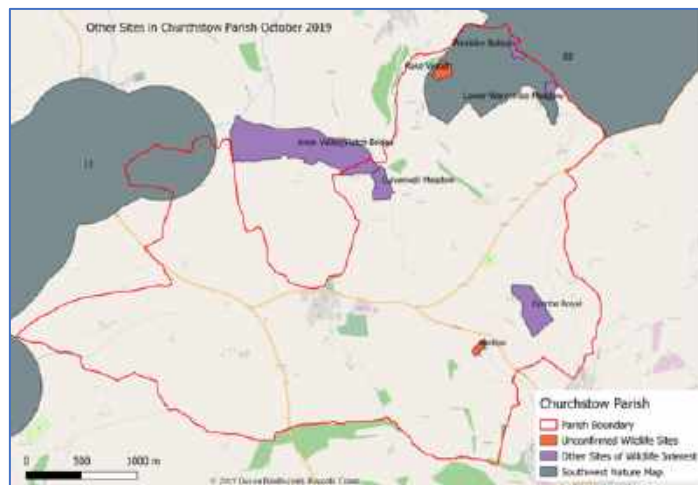


Figure 9 Non-Statutory and other wildlife sites in Churchstow Parish

3.9.7 The Kingsbridge and Salcombe Estuary (Ria)

The estuary is a nationally important example of a ria having very little freshwater input, high salinity levels and a large tidal range. Many truly marine plants and animals are found which seldom occur intertidally in estuaries elsewhere. A consistent high quality and diversity are found throughout the estuarine environment contributing to its uniqueness. Distinctive characteristics of the ria include:

- Estuary character changes with the state of the tide and weather conditions.
- Steeply sloping land adjacent to the estuaries, often extensively wooded down to the water's edge.
- Deciduous ancient woodland fringes the estuary sides and sheltered combes.
- Small woodland copses on valley sides and tree lined streams emphasise landform.
- Development restricted to historic settlements in sheltered locations close to estuary mouths, or at inland tidal extremities.
- Occasional waterside developments and historic features with strong functional relationships with the water.
- Harbour and boating infrastructure is clustered and largely contained within developed areas.

This plan has been informed by and supports the AONB Estuaries Management Plan⁴. Although not a statutory document the Estuaries Management Plan should inform all future development in or near the estuary. Recent interventions on the estuary risk compromising these characteristics and this plan sets out to reinforce them to maintain the character of the estuary within the Parishes and harbour.

3.10 The three settlements now

3.10.1. The overall plan area has a population of approximately 7000 with 6000 living in Kingsbridge. The area population has grown from 5000 in 1981, almost all of it in Kingsbridge. The wider rural area which depends upon the town area represents about 18000 residents who all rely on, at least to some extent, services located in the town. For 2011 census data refer to Appendix B10 and the JSNA Community Profile for the Kingsbridge area (2017) to Appendix B16.

3.10.2. The oldest built up areas of the town and the two villages sit on hill ridges where the historic routes ran and where there was some flat land to build. They were also safe from flood risk. The settlements gradually extended down the valley sides, and in the case of Kingsbridge towards the Estuary as well, where significant areas of development grew up on reclaimed land at the head of the Estuary where quaysides grew up to support trade.

⁴ <http://www.southdevonaonb.org.uk/about-the-aonb/looking-after-the-aonb/aonb-management-plan/estuaries-management-plan-public-consultation/>

3.10.3. There has been housing growth from the late Middle Ages onwards in the area, but only limited development in the villages, and surrounding countryside. Two extensive areas of housing were built between the mid 1960s and the early 1990s on the steep valley side to the east of Kingsbridge town centre, much within the AONB boundary.

3.10.4. Development with a view of or close to the estuary attracts a high value. The area is thus highly attractive for open market housing at the expense of affordable housing provision. Achieving a balance between affordable and market housing has proved a challenge to housing delivery. Until 2019, there had been no major new housing developments built in the plan area in the last ten years, despite several hundred units being allocated in past development plans.

3.11 Transport and communications infrastructure

3.11.1 The Kingsbridge area is remote from, and poorly connected to, the strategic transport network of the region. The road network remains a mixture of narrow, deeply sunk medieval lanes overlaid with a network of narrow, winding Victorian turnpike roads, which are now designated A roads. Many of the latter are narrow in places and unsuited to modern traffic, especially the increasingly large and heavy goods vehicles and modern agricultural vehicles, joined in the summer by the wider modern caravans and motorhomes. This limited level of infrastructure is a constraint to growth and has kept the area quiet and attractive to live in outside the main tourist periods, which is much valued by local people.

3.11.2 Public transport provision is relatively small scale and expensive so car usage by residents is high.

3.11.3 A review of 2011 census data on travel distance to work (see Appendices A6 and B10) indicate high levels of home working, above the England average in both the plan area and wider Saltstone parishes. It also shows that just under 50% of those of working age and in employment in the KWAC parishes were either working mainly at home or travelling less than 2km to work i.e. working very locally. Additionally, far fewer were travelling 10 to 20km for work than in South Hams or England. This suggests a much more self-contained work market.

3.11.4 There are seasonal ferries but now no water based commercial transport links to the area. The branch railway line to Kingsbridge from the West Country main line at South Brent, closed in 1963/4. The closest rail access is now at Totnes mainline station thirteen miles away.

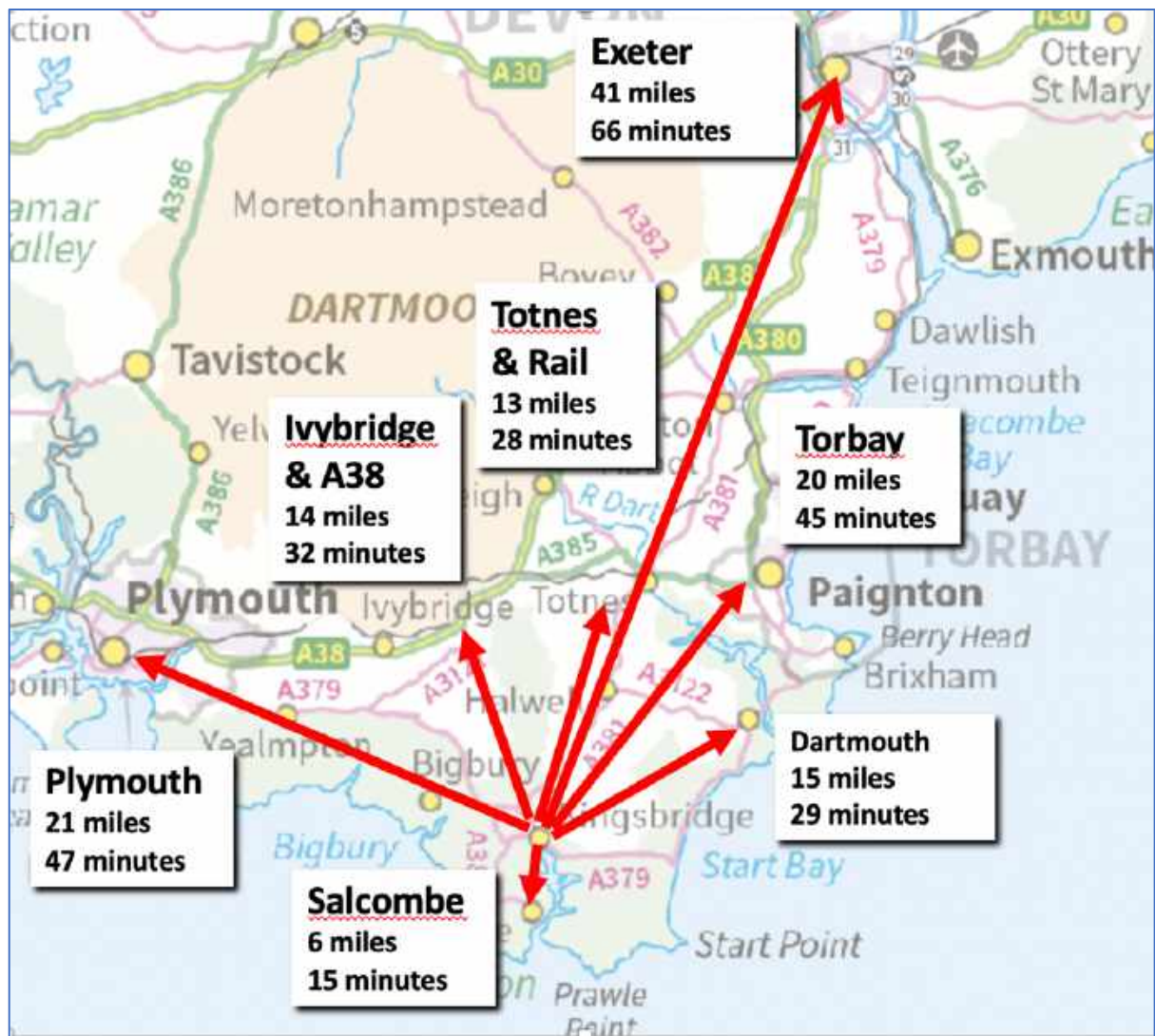


Figure 10 Vehicle travel distances and significant travel times to key centres from Kingsbridge

3.12 Historic Environment

3.12.1 The historic and built environment will be a material consideration in many future planning applications in line with the NPPF (2019) paragraph 199. There are 186 listed buildings (6 grade I, 7 grade II*, and 173 Grade II) and one Scheduled Ancient Monument (SAM) within the plan area (see Appendix B22). Appendix B21 records all the Designated Heritage Assets for the three parishes. There are two conservation areas illustrated in Figures 11 and 12, these cover the centres of Kingsbridge and West Alvington. In addition there are also well over 400 Non-Designated Heritage Assets in the Plan area. Safeguarding Designated and Non Designated Heritage assets that are important to the community are the subject of plan policy KWAC HE4.

3.12.2 Kingsbridge was assessed in 2013 for the Devon Historic Coastal and Market Towns Survey (DHCMTS). Part of a national programme of urban surveys initiated and supported by English Heritage. The full DHCMTS is included as Appendix B13. The survey aimed to increase understanding of 17 medieval towns within the county, prioritised because of their high historical significance and archaeological potential and the immediacy of development pressure.



Figure 11 Kingsbridge Conservation Area (shaded in pink)



Figure 12 West Alvington Conservation Area (shaded in pink)

3.13 Open Spaces, Sports and Recreation Plan (OSSR)

Kingsbridge Town Council has produced an OSSR Plan for their parish this is included in Appendix B25 and looks at the future needs to inform investment in open space, sport and recreation serving all the parishes. The Kingsbridge OSSR and research on similar plans for West Alvington and Churchstow has informed the Local Green Spaces proposed in Plan Policy KWAC Env2 and open space policy KWAC HW2. The OSSR plan will be updated on a regular basis.

3.14 Community Initiatives

The highest response in the community survey on what people like in the plan area is its community spirit (see Figure 3). There are many examples of community endeavour and include:

3.14.1 Kingsbridge in Bloom

Kingsbridge is well known for its great community spirit and in 2007, having suffered many years of neglect from lack of maintenance and care of many of its public open spaces and heritage sites, a group was formed to regenerate and improve the town with attractive sustainable planting displays throughout. Since its inception, the group has grown in strength year on year, encouraging the whole community to take part in their activities. Their horticultural expertise has been recognised by the Royal Horticultural Society (RHS) as the best Britain in Bloom gold winner at both Regional and National level, as well as receiving The Queens award for Voluntary Service (MBE) in recognition for the group's outstanding contribution to the community. The town has now been transformed by their work which is always well received by the many visitors and residents and considered by the RHS as a model for promoting horticultural excellence, environmental responsibility and community involvement in order to keep the town vibrant and attractive. This group is now responsible for the majority of displays in Kingsbridge with a vision to extend its many activities for the future. <https://www.kingsbridgeinbloom.co.uk>

3.14.2 Kingsbridge Community Garden

Kingsbridge Community Garden located in Fore Street is an organic garden run by volunteers. The garden demonstrates organic gardening techniques including composting and vermiculture (worm farming). The local group have constructed a tranquillity garden, demonstration beds, composting area, information hut, wildlife area, a compost toilet and hand-carved benches. Other points of interest include local artist's work and sculptures. Plants and organic vegetables are available to pick and purchase.

3.14.3 Kingsbridge Food Bank

The object of the Kingsbridge Area Food Bank now located in the Avon Centre, Wallingford Road is the prevention and relief of poverty in Kingsbridge and surrounding villages, primarily through the provision of food, hygiene and household products, but also related additional services, assistance and support for those in need. The charity started in 2012 and the demand for support increased in 2015. At the start of the Covid pandemic this demand increased further in numbers of customers and area of coverage.

3.14.4 Fire service volunteers

Kingsbridge Fire Station is located in Duncombe Street and covers the town and the surrounding area. The station houses a fire-fighting appliance and is staffed by on call retained personnel and consists of a watch manager, crew managers and fire fighters. Fire crews are recognised as key workers and are the main asset for the station and the area. They undertake a range of community safety activities aimed at equipping people with the knowledge to be aware of their own ability to reduce the chances of becoming involved in a fire or number of other types of emergencies.

3.14.5 Kingsbridge Youth for Christ

Kingsbridge Youth for Christ is a not for profit Christian charity that has been established in Kingsbridge for two decades, under the former name of SPIRITULIZED. The group are passionate about sharing their faith and seek to empower and encourage young people to find hope for their futures, to connect the community with one another, raise awareness and understanding of youth culture, and facilitate local church outreach in the area. They work closely with, and are highly commended by the Police, local schools and community members, and have had over 4000 individual interactions with young people in our town over the last year through their various projects.

3.14.6 Kingsbridge and Saltstone Caring

This befriending and support charity operated from Quay House was set up following the 2003 MCTI. Their aim is to promote the independence, physical and mental well-being of older, isolated or vulnerable people living in Kingsbridge, Salcombe and the surrounding area. The charity is volunteer led providing services not normally available through statutory agencies. Their volunteers have the opportunity of using their life skills and experiences, finding fulfilment in making a difference. The benefits of this service can be an improved sense of well-being and reduced feelings of isolation, as well as the preservation of independence for as long as possible, this can delay or avoid the need to move into a retirement home or becoming institutionalised.

3.14.7 Coastguard volunteer service

The local coastguard rescue team of the Maritime and Coastguard Agency (MCA) <https://www.gov.uk/government/organisations/maritime-and-coastguard-agency> are based at East Prawle. They have seen a significant increase in incidents in recent years, many of them in the Kingsbridge and surrounding area. Coastguard rescue teams (like the fire service) rely on local volunteers. In the past these volunteers have consisted of residents close to the station. The current local station at East Prawle has seen a significant decrease of volunteers due to the shortage of permanent residents. The team consists of 15 on-call rescue officers, many of whom now either live or work in the Kingsbridge area. HM Coastguard are actively looking for a base or shared facility with other emergency services in the Plan area.



Pictorial meadow planting throughout the area by Kingsbridge in Bloom

4.0 Key challenges, themes, aims, priorities and objectives

The key challenges and opportunities are addressed in the Vision Statement included in section 1 of the plan. The particular and shared challenges for each parish are:

4.1 Kingsbridge and its surroundings

- Maintaining an all year-round community with the necessary range of people and skills to support the local services.
- Finding sites and finance for new affordable homes for sale or rent to local people earning local salaries.
- Diversifying the local labour market to expand the number of better paid jobs.
- Managing development in the context of the limited transport infrastructure.
- Preventing harm to the protected landscapes, countryside and estuary environment eco-friendly way.
- Managing development around the head of the Estuary and the historic town centre to retain its local distinctiveness.

4.2 Additional Challenges for West Alvington

- Maintaining a green corridor between the village and the edge of Kingsbridge.
- Limiting infill housing development to maintain a pleasant residential environment and not overload the very narrow village side roads.
- Identifying additional residents' parking.
- Working with the Highways Authority to find better ways of managing the traffic through the village to reduce nuisance and increase safety for pedestrians.
- Protecting further the high quality and attractive rural surroundings of the village.
- The need to replace the existing village hall.

4.3 Additional challenges for Churchstow

- Protecting the village from inappropriate development which would overload its limited facilities and infrastructure.
- Finding a location for and building a village hall, car park, play area and green space.
- Establishing a new motor traffic free foot/cycle path as a safe route to Kingsbridge away from the A379.
- Working with the Highways Authority to find better ways of managing the traffic through the village to reduce nuisance and increase safety for pedestrians.

4.4 Themes, aims and objectives

The themes in the Plan are drawn from the SWOT analysis and issues and challenges highlighted in sections 2 and 3 above. The table below summarises the themes in order of priority linking their aims and objectives. All this data has been determined through community surveys, workshops and evidence gathering. The objectives inform the policies of the Plan. In addition the Plan identifies five cross-cutting themes, these are introduced in the next section.

| THEMES | AIMS | SUMMARY OBJECTIVES |
|------------------------------------|---|--|
| 1. The Natural Environment | <ul style="list-style-type: none"> • Protect the natural environment; • Respect the AONB designation; • Prevent coalescence of settlements. • Prevent flooding; • Carbon and energy reduction. | <ul style="list-style-type: none"> • Designation of settlement boundaries for the villages and town; • Designate appropriate locations as Local Green spaces; • Conserve and enhance the natural beauty of the AONB; • Establish and enhance natural green corridors; • Promote a diversity of habitats within Green Infrastructure that are of high value to people and habitats; • Identify locally important views that should be respected; • Mitigate and adapt to climate change; • Effectively manage levels of light pollution; • To effectively manage flood risk in new development; • Energy conservation; increase the production of renewable energy, reduction of waste, and avoidance of single use plastics; • Promote and safeguard allotments; • Encourage more tree planting. |
| 2. Affordable Housing | <ul style="list-style-type: none"> • Truly affordable homes; • Starter homes and low-cost rental homes; • Only limited and fully justified encroachment on the AONB; • Address the needs of the elderly and young families. | <ul style="list-style-type: none"> • The delivery of affordable housing responding to local needs of all age groups; • Market housing responding to local needs of all age groups and helping deliver affordable housing; • Promotion of exception sites through Community Land Trusts and local community led initiatives; • Provision for a Principal Residence Requirement. |
| 3. Business and the Economy | <ul style="list-style-type: none"> • Sustain and enhance Kingsbridge's role as a market town; • Maintain and enhance services and facilities in the area; • Support and grow the local employment base; • Promote the local tourism industry; • A vibrant re-invigorated high street in the town; • Better locations of some employment uses; • Encourage more training. | <ul style="list-style-type: none"> • Provide additional employment space of different sizes and tenures helping small businesses and start-ups; • Regeneration of under used employment areas; • Support the central shopping area of the town; • Support the diversification and expansion of tourism businesses • Support training links between colleges and employment uses. |

| | | |
|---|--|--|
| <p>4.The Built and Historic Environment</p> | <ul style="list-style-type: none"> • Minimise development of Greenfield sites; • Enhancements to Kingsbridge Quayside and town square; • Regeneration of Lower Union Road, the Western Backway and other historic employment areas; • Respecting non- designated heritage assets; • To conserve the area's designated heritage assets. | <ul style="list-style-type: none"> • Prioritise development of 'Brownfield' sites; • A development brief for the Quayside and town square; • A development brief for Lower Union Road and Western Backway area; • Development considerations inside and outside the conservation areas; • The listing and conservation of local heritage assets; • Local design quality standards. |
| <p>5. Sustainable Transport and infrastructure</p> | <ul style="list-style-type: none"> • Make Kingsbridge a sustainable transport hub; • That the villages are well connected to the hub; • Address rural isolation and connection with the strategic transport network; • Safe routes for walkers and cyclists; • More residents and visitor parking in the villages; • Promote non-fossil fuel modes of transport; • Improve broadband. | <ul style="list-style-type: none"> • Propose sustainable routes for cyclists, pedestrians and motorists; • Propose non fossil fuel hubs in the town and villages; • Propose car parking standards and no net loss of spaces; • New carparking area for Churchstow; • An integrated transport statement for the area; • Traffic calming through the town and villages; • Broadband infrastructure for all new development. |
| <p>6. Health, Wellbeing and leisure</p> | <ul style="list-style-type: none"> • A healthy community; • Better outside recreation activities and improved access for all needs; • Maintain and enhance access to the water for recreation for all needs. | <ul style="list-style-type: none"> • No loss of community facilities; • Better sports facilities for all needs; • Support new and improved community facilities; especially for young people of 11-18yrs; • Support new development contributing towards new community provision; • Enhance recreation in the countryside and estuary; • Support and identify a site for a Kingsbridge community centre. |

5. Proposed policies for the whole Neighbourhood Plan area

5.1 We set out in this section in order of theme the policies of the Plan and evidence supporting them. There are also five cross cutting themes that apply to all the policies. These are that the Plan should be:

Sustainable, and should reflect the presumption in favour of sustainable development outlined in the National Planning Policy Framework and JLP Plan Policy S06.

Supporting low carbon development and carbon reduction and adding value to the Devon Carbon Plan and JLP Policy Dev 32

Contributing to the **regeneration of Kingsbridge town centre** and a balanced economy for the plan area.

Deliverable, where funding sources can be identified for projects arising from the policies, they should be to be delivered within the Plan period;

and;

Conforming to the strategic policies of The Plymouth and South West Devon Joint Local Plan.

Figure 13 illustrates the performance of the Plan policies against the cross-cutting theme. This matrix will be monitored regularly through the Plan period.

| Policy no. and title KWAC/ | | Cross cutting theme | | | | |
|-------------------------------|-----------------------------------|---------------------|-----------------------|--------------------------|-------------|---|
| | | Sustainable | Supporting Low Carbon | Town centre regeneration | Deliverable | Conforming to national and local policy |
| Env 1 | Settlement boundaries | Green | Green | Yellow | Green | Yellow |
| Env 2 | Local Green Spaces | Green | Green | Yellow | Green | Green |
| Env 3 | Impact on the natural environment | Green | Green | Yellow | Green | Green |
| Env 4 | Locally important views | Green | Yellow | Green | Green | Yellow |
| Env 5 | Prevention of light pollution | Green | Green | Yellow | Green | Yellow |
| Env 6 | Prevention of flooding | Green | Green | Green | Green | Green |
| Env 7 | Carbon reduction | Green | Green | Green | Green | Green |
| Env 8 | Renewable Energy | Green | Green | Green | Green | Green |
| Env 9 | Allotments | Green | Green | Yellow | Green | Yellow |
| Env 10 | Tree Planting | Green | Green | Green | Green | Green |
| Env 11 | Open space and recreation | Green | Green | Yellow | Green | Green |
| H1 | Affordable Housing | Green | Green | Green | Green | Green |
| H2 | Market Housing | Yellow | Yellow | Yellow | Green | Green |
| H3 | Rural Exception Sites | Green | Yellow | Yellow | Green | Green |
| Em 1 | Additional employment land | Green | Yellow | Yellow | Green | Green |
| Em 2 | Regeneration of employment sites | Green | Green | Green | Green | Green |
| Em 3 | Central shopping area | Green | Green | Green | Green | Green |
| Em 4 | Mixed use employment | Green | Yellow | Green | Green | Yellow |
| Em 5 | Promotion of tourism | Yellow | Yellow | Green | Green | Yellow |
| Em 6 | Training links | Green | Green | Green | Green | Green |
| BE 1 | Brownfield first | Green | Green | Green | Green | Green |
| BE 2 | Kingsbridge quayside | Yellow | Yellow | Green | Green | Yellow |
| BE 3 | Design quality | Green | Green | Green | Green | Green |
| BE 4 | Heritage assets | Yellow | Green | Green | Green | Green |
| T1 | Sustainable Transport | Green | Green | Green | Green | Green |
| T2 | Non-fossil fuel hub | Green | Green | Green | Green | Green |
| T3 | Car parking | Yellow | Red | Green | Green | Yellow |
| Inf 1 | Broadband Infrastructure | Green | Green | Yellow | Green | Green |
| HW1 | Community facilities | Green | Yellow | Green | Green | Yellow |
| HW2 | Open space | Green | Green | Yellow | Green | Green |
| HW3 | Community centre for Kingsbridge | Yellow | Yellow | Green | Green | Yellow |
| | Key | | Neutral impact | Yellow | | |
| | Positive impact | Green | Negative impact | Red | | |

Figure 13 matrix of the Plan Policies and appraisal against the 5 cross-cutting themes

Theme 1 The Natural Environment

5.2 Purpose of the theme policies

The following detailed objectives were agreed by the plan's Natural Environment Focus Group:

- To conserve and enhance the outstanding natural beauty of the countryside and shoreline of the Kingsbridge Estuary which includes the SSSI (Sites of special scientific interest) and the South Devon Area of Outstanding Natural Beauty (AONB)
- To safeguard existing ancient woodlands, trees, hedgerows, Devon banks, green spaces and other important features of the local natural landscape which are important to the overall environment and have important biodiversity value.
- To conserve and enhance the biodiversity value of the area and to protect and enhance the Green Infrastructure of the surrounding Parishes.
- To preserve the beauty and integrity of the landscapes and ensure that the ecology, biodiversity and wildlife is protected and enhanced.
- To ensure that the historic environment such as historic buildings, archaeology, footpaths and landscapes are preserved for future generations.
- To protect and preserve the iconic views surrounding Kingsbridge, West Alvington and Churchstow and not cause harm to the landscape by inappropriate and over-development.
- To promote best practice to minimise Light pollution
- To promote only sustainable development to reduce or minimise any impact on the character and appearance of the area.
- Given the history of flooding, to ensure that any future development should not cause any adverse impact to properties or the surrounding environment, wildlife habitat and estuary.

5.3 Natural Environment Policies

5.3.1 Settlement Boundaries and avoidance of coalescence; The various settlements of the plan area are close together and risk coalescence. In the past there has been pressure to develop within the gaps. This plan considers that these gaps are important to the open character between settlements, local views, landscape and estuary setting and maintaining a high environmental quality. To safeguard these features and prevent coalescence a settlement boundary and avoidance of

coalescence policy is included in this Plan. The settlement boundaries proposed that restricts development in the open countryside, will be used to ensure that development proposals do not individually or cumulatively result in the coalescence and the loss of the separate identity of Kingsbridge, West Alvington and Churchstow. The principles applied to determine a settlement boundary to inform the JLP (TTV Topic Paper 2 November 2017) were used to help define the boundaries. For proposed development sites located outside the settlement boundaries Plan Policy KWAC H3 (Rural Exception Sites outside the settlement boundary), the criteria of JLP Policies TTV 27 (Meeting local housing needs in rural areas) and TTV26 (Development in the Countryside) will also apply.

Policy KWAC Env1 Settlement Boundaries and the avoidance of coalescence

Settlement boundaries for Kingsbridge, West Alvington and Churchstow are designated in this Plan and illustrated in Figures 14, 15 and 16. Development inside the settlement boundaries will be supported in principle subject to National Policy and Guidance and the Development Plan.

Development proposals outside the settlement boundaries will be treated as development in the open countryside.

To protect the character and appearance of Kingsbridge, West Alvington and Churchstow, development which erodes the visual separation of the settlements, the natural infrastructure and biodiversity network features will not be supported.



Figure 14 Settlement Boundary for West Alvington lined in red



Figure 15 Settlement Boundary for Churchstow lined in red, Parish boundary in blue

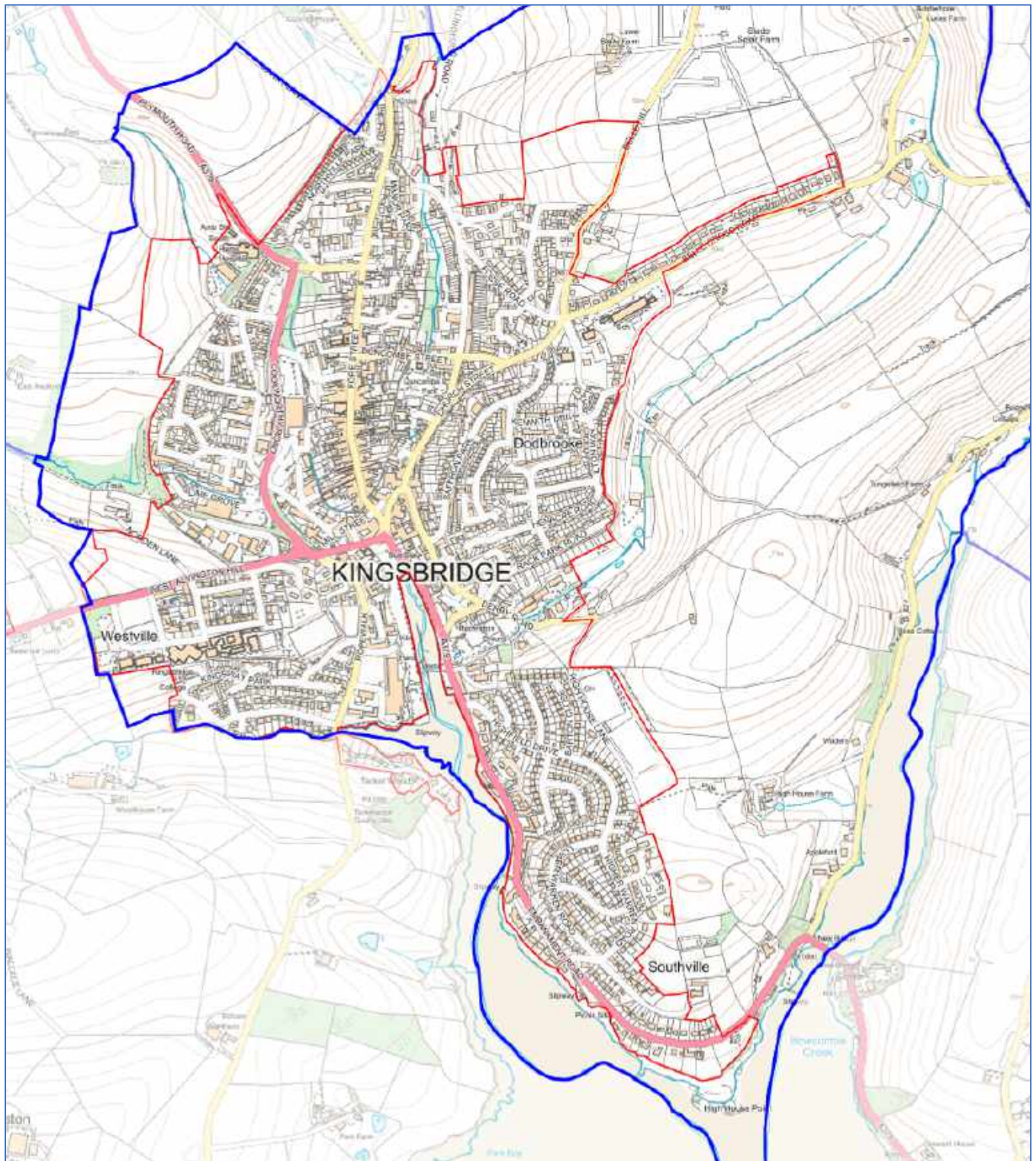


Figure 16 Settlement Boundary for Kingsbridge lined in red, Parish boundary in blue

5.3.2 Local Green Space (LGS); - a number of green open spaces within the plan area are designated as LGS. These have been identified by the community as of special value and hold a particular significance to the place for their beauty and tranquillity, historic significance, recreational value, high environmental quality, richness of habitats and wildlife. The designation helps maintain the open character of the area and helps retain the historic setting of each settlement. Development within the LGS will only be supported if it is minor and necessary for the enhancement of the LGS. The full justification for each LGS and any future enhancements planned is included in Appendix A3.

Policy KWAC Env2 Local Green Spaces (LGS)

The following are designated as Local Green Space. These areas illustrated in Figure 17 and detailed in Appendix A3.

| | |
|--------|---|
| KLGS1 | Duncombe Park |
| KLGS2 | Kingsbridge Recreation Ground |
| KLGS3 | Rack Park amenity space |
| KLGS4 | Quay House Grounds |
| KLGS5 | Kingsbridge Community Garden |
| KLGS6 | Treble Park Play Area |
| KLGS7 | Bowcombe Amenity Space. |
| KLGS8 | Brittons Field. |
| KLGS9 | Thomas a Becket Cemetery. |
| KLGS10 | Southville Cemetery. |
| KLGS11 | Montagu Road Play Area |
| KLGS12 | Homelands amenity space |
| KLGS13 | Church Street Gardens |
| KLGS14 | Land at rear of the Old Vicarage, Plymouth Road, Kingsbridge. |
| KLGS15 | Cookworthy Museum Garden |
| KLGS16 | Embankment Gardens, Embankment Road |
| KLGS17 | Wallingford Road Community Space |
| KLGS18 | Treble Park Allotments |
| WALGS1 | Townsend Road/Close |
| WALGS2 | Green open space between the WA village Hall and School |
| WALGS3 | East of village hall |
| WALGS4 | Home Field Amenity Space |
| WALGS5 | Small copse at the top of footpath 5 |
| CLGS1 | Land west of St Mary's Church |
| CLGS2 | Grass verge |

Inappropriate development will not be supported except in very special circumstances.

Kingsbridge, West Alvington and Churchstow Neighbourhood Plan



KLGS 1



KLGS 5



KLGS 8



KLGS9



KLGS15



KLGS16



WALGS 2



WALGS 4

Views of selected Local Green Space designations, refer to Appendix A3 for the full set of designations.

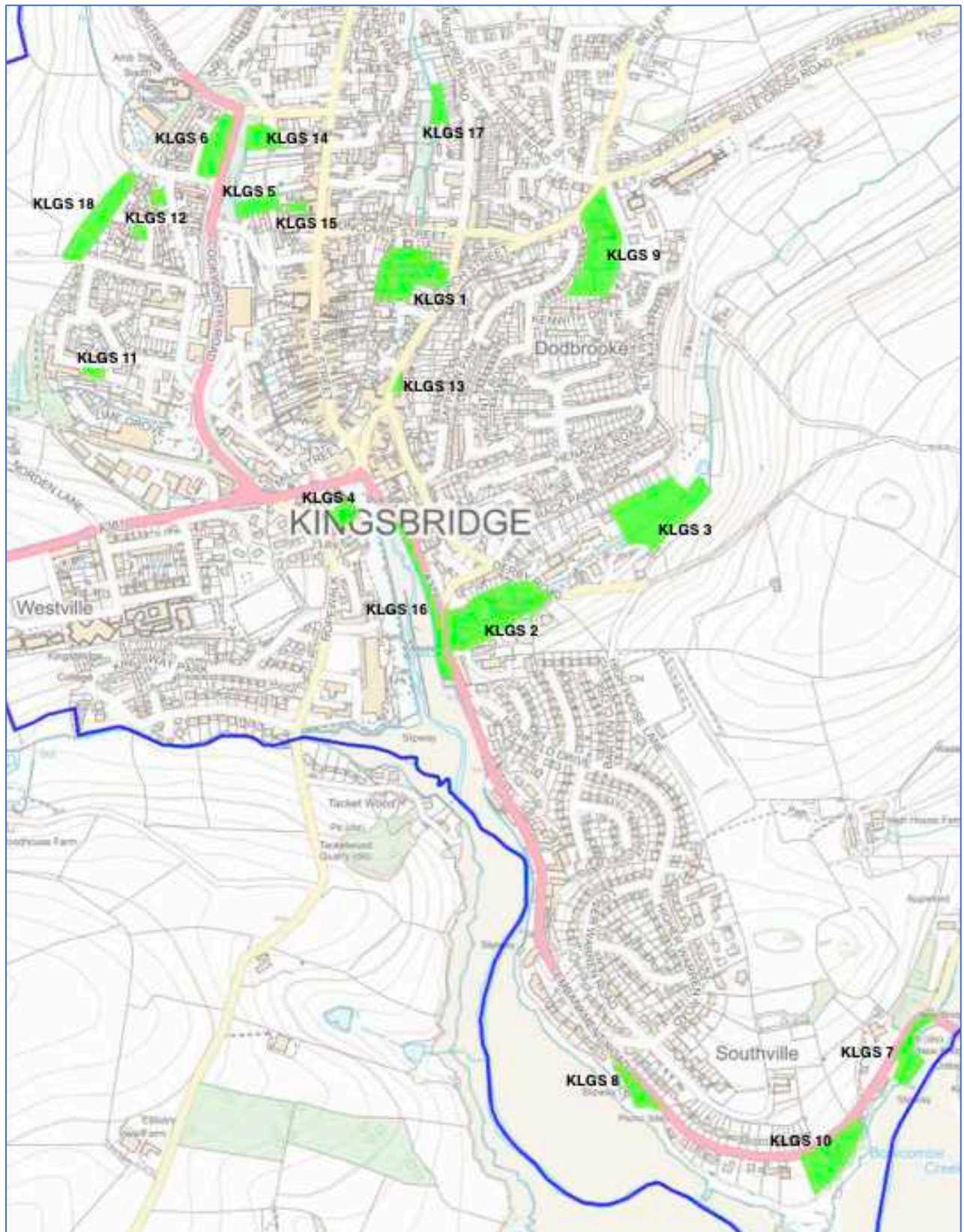


Figure 17a Local Green Spaces Kingsbridge

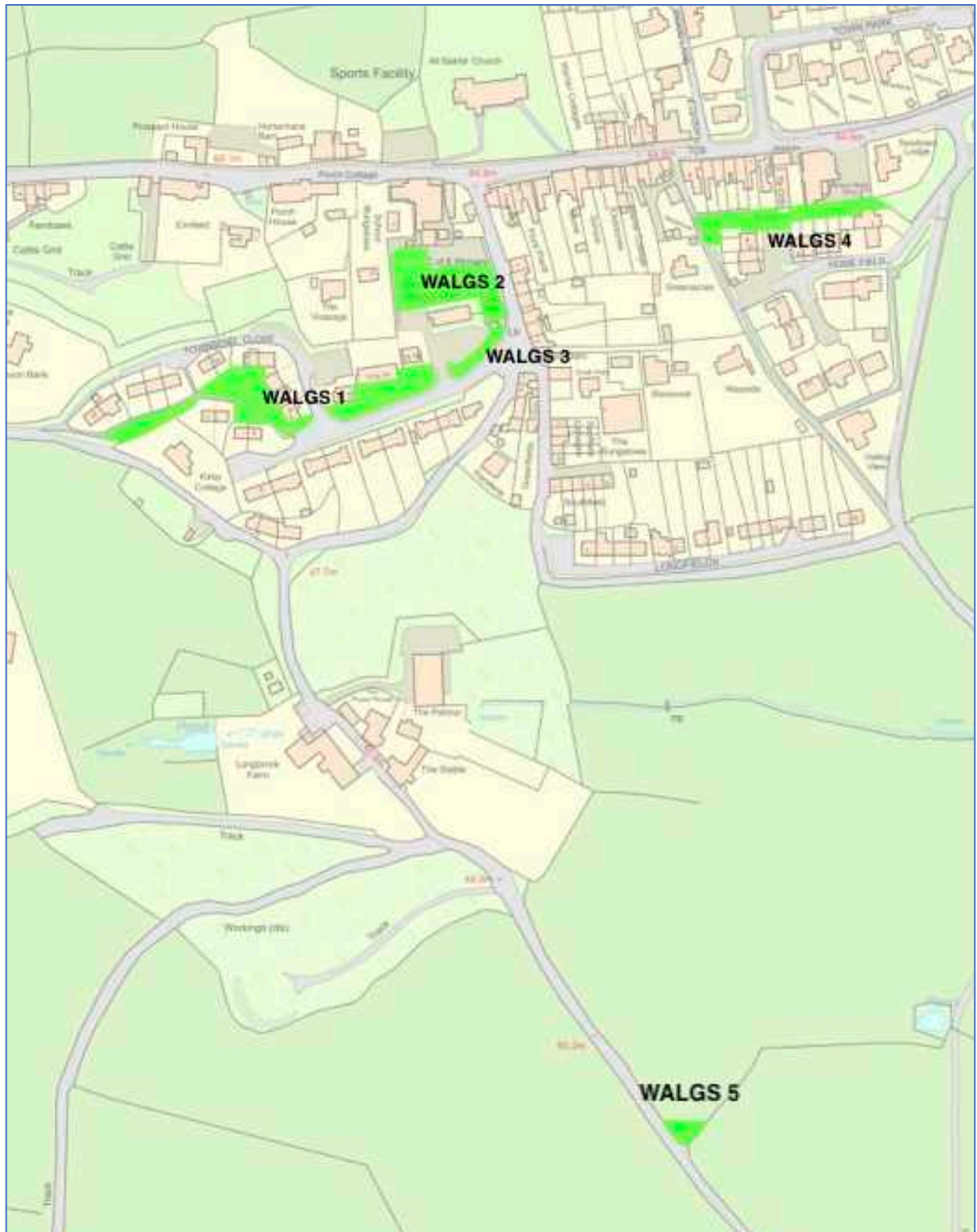


Figure 17b Local Green Spaces West Alvington



Figure 17c Local Green Spaces Churchstow

5.3.3 Impact on the natural environment; the policy below expands and develops at a local level JLP policies Dev 24, Dev 25 and Dev 26 and the planning guidance from the South Devon AONB unit. The local features are described in the Wildlife Resource Map for the plan area (Appendix B17 and Figure 7.8 and 9) and the green corridors identified in this plan(Figure 18 and Appendix B1).The Plan area falls within the Impact Risk Zones (IRZ) of the South Hams Special Area of Conservation (SAC) and the Salcombe Estuary Site of Special Scientific Interest (SSSI).Future development should respect these local features and constraints and promote walking and cycling routes to improve access to the natural and heritage assets of the Plan area. This Plan promotes the NPPF definition of Green Infrastructure (GI) as *'A network of multi-functional green space, urban and rural, which is capable of delivering a wide range of environmental and quality of life benefits for local communities'*.

5.3.3.1 West Alvington and Churchstow parishes fall entirely within the South Devon AONB and a significant portion of Kingsbridge Parish falls within the designation (see Figure 5) The parts of the plan area are also covered by the Devon Undeveloped Coast designation (see Figure 4). These designations carry significant weight when considering development proposals. The revised NPPF (2018) policy paragraph 172 relating to protected landscapes gives great weight to conserving and enhancing landscape and scenic beauty of Areas of Outstanding Natural Beauty, which has the highest status of protection in relation to these issues comparable to National Parks.

5.3.3.2 The landscape character policies of the AONB Management Plan clearly define the special qualities to be respected if development is considered in settlements within the AONB and plan area including:

- Maintaining and enhancing the levels of tranquillity to further ensure this special quality is not further devalued, Policy Lan/P4;
- The importance of the existing skyline and need to protect this against the visual intrusion of insensitive buildings and infrastructure, Lan/P5;
- Protecting long uninterrupted views of the open undeveloped seascape, Lan/P6;
- Help maintain the rural quality and character and the overall setting of the AONB Lan/P7.



5.3.3.3 To support the natural environment objective to conserve and enhance the biodiversity value of the area and SHDC's commitments following their declaration of a Climate and Biodiversity Emergency` this Plan supports biodiversity net gain on all future development following the Mitigation Hierarchy.

5.3.3.4 Green corridors are linear strips of land which link habitats and the wildlife they support. They provide a vital role in allowing all kinds and sizes of wildlife, from mammals to invertebrates, to move safely between home patches which otherwise would be isolated. They promote healthy and resilient biodiversity of plants and animals and help prevent genetic inbreeding and local extinctions. Typical green corridors may be sunken Devon lanes, the banks of watercourses, unsprayed field margins, hedges and strips of woodland. Their essential feature is connectivity, with different types of corridor linking to provide larger and more valuable wildlife resource. Designation should alert Planning Authorities of the need to preserve this connectivity by avoiding development which will, for example, remove sections of hedgerows or clearance of woodland. The protection of existing, and creation of new green corridors is a prime objective of the South Hams Green Infrastructure Framework 2015 and the JLP Biodiversity Network Creation Process 2017 (Appendix B37). The corridors have been developed at a local level in this plan and illustrated in Figure 18 and Appendix B1.

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

In addition to National and Development Plan policies and guidance controlling development in the South Devon AONB, Undeveloped Coast, countryside and the rural landscape, development within the parishes must demonstrate the following:

- a) an awareness of and management for wildlife corridors through the plan area informed by the green corridors identified in this plan (Figure 18 and Appendix B1) the South Hams Green Infrastructure Framework, and the latest Tree Preservation Orders;
- b) how it maintains and enhances the intrinsic character of the landscapes affected;
- c) why it cannot be accommodated reasonably outside the Undeveloped Coast designation;
- d) how the natural assets and constraints of a development site have been assessed. Substantial harm to or loss of irreplaceable habitats such as ancient woodland, historic boundary features, banks and ditches should be wholly exceptional;
- e) how opportunities for improving public access to and the enjoyment of the estuary and countryside have been included;
- f) A commitment to biodiversity net gain as outlined in JLP Policy Dev 26, SHDC's Climate Change and Biodiversity Strategy (2020) and DEFRA's latest Biodiversity Metric.⁵;
- g) Where appropriate that new biodiversity connectivity routes have been included within planting proposals;
- h) That all new planting shall utilise only native species which are locally appropriate.

⁵ <http://publications.naturalengland.org.uk/publication/5850908674228224>

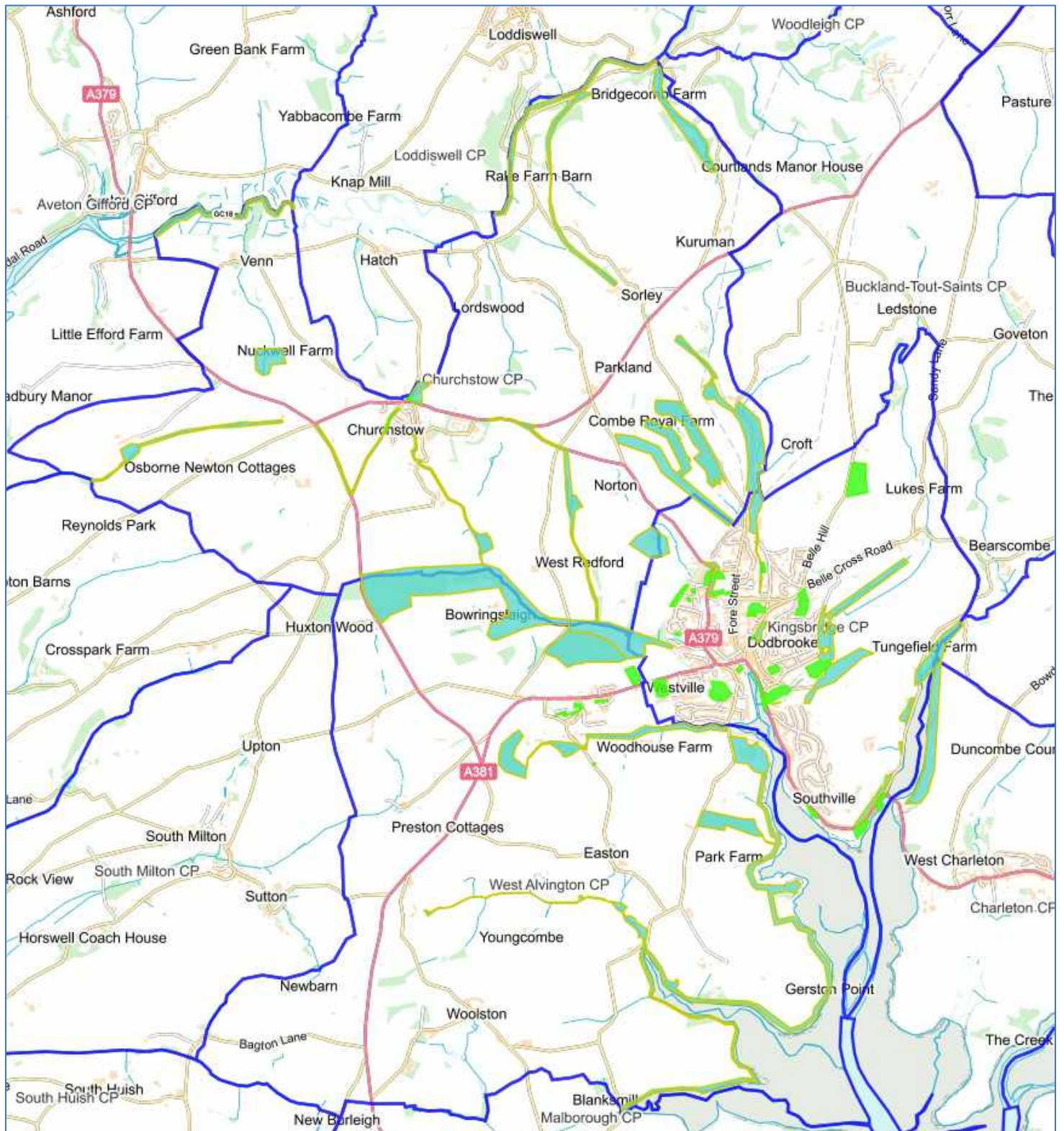


Figure 18 Green Corridors (shaded blue/green) with Local Green Space and Open Space and Recreation (shaded bright green, also see figures 17a,b, c, and d)

5.3.4 Locally Important Views; there are a number of views across the parishes of Kingsbridge, West Alvington and Churchstow from public land and routes that are considered by the community as locally important. These are illustrated in Appendix A4 which includes photographs, a description of each view and the location of the viewpoint. The views to the settlements, estuary, natural and historic features should be safeguarded in all future development within the Plan area. The views help define the landscape character of the AONB as outlined in the latest AONB Management Plan (Policy Lan/P6)

Policy KWAC Env4 Locally Important Views

Locally important views are described below and illustrated in Figure 19 and Appendix A4. The quality of these views within the settlements and to the estuary or the countryside should be safeguarded in any future development within the parishes of the Plan. Development should not be overly intrusive or prominent to the detriment of the view as a whole, or to landmarks within the view.

- KV1 Buckwell Road towards Coombe Royal
- KV2 Saffron Park to Coombe Royal
- KV3 Manor Park to Wallingford Valley
- KV4 Saffron Park to Wallingford Valley
- KV5 Washabrook Lane looking NNE
- KV6 Washabrook Lane to Tunge Lane
- KV7 Water treatment works access road across the estuary
- KV8 Gerston Lane to Southville (detail)
- KV9 Gerston Lane to Southville. (panorama)
- KV10 Darky Lane eastwards
- KV11 Darky Lane to Coombe Royal
- KV12 Fore Street looking South
- KV13 Tunge Lane
- KV14 Buckwell Road to Malborough
- KV15 Saffron Park to St. Edmunds Church
- KV16 Washabrook Valley
- KV17 Sorley Cross to Kingsbridge
- KV18 Vincent Road to West Alvington
- KV19 Town slipway looking East
- KV20 Buckwell Road looking NW
- KV21 Crabshell to Kingsbridge (detail)
- KV22 Crabshell to Kingsbridge (panorama)
- KV23 Plymouth Road (A379) approaching Kingsbridge from Churchstow
- WAV1 Tackett Wood Bridge
- WAV2 Old Salcombe Road Eastwards
- WAV3 Town Park from Kingsbridge showing the green gap
- WAV4 Lower Street Cottages
- WAV5 Main Street West Alvington
- WAV6 Reservoir and green gap between West Alvington and Kingsbridge
- WAV7 Longbrook Lane northwards
- WAV8 Longbrook Wood northwards
- WAV9 Home Field to Kingsbridge

- CV1-4 Merrifield panorama
- CV5 Long Lane to Churchstow
- CV6 Church House Inn
- CV7 Churchstow from the A381
- CV8 Church House Inn and cottages
- CV9 Churchstow to West Alvington



Selected Locally Important Views; refer to Appendix A4 for the full set of views

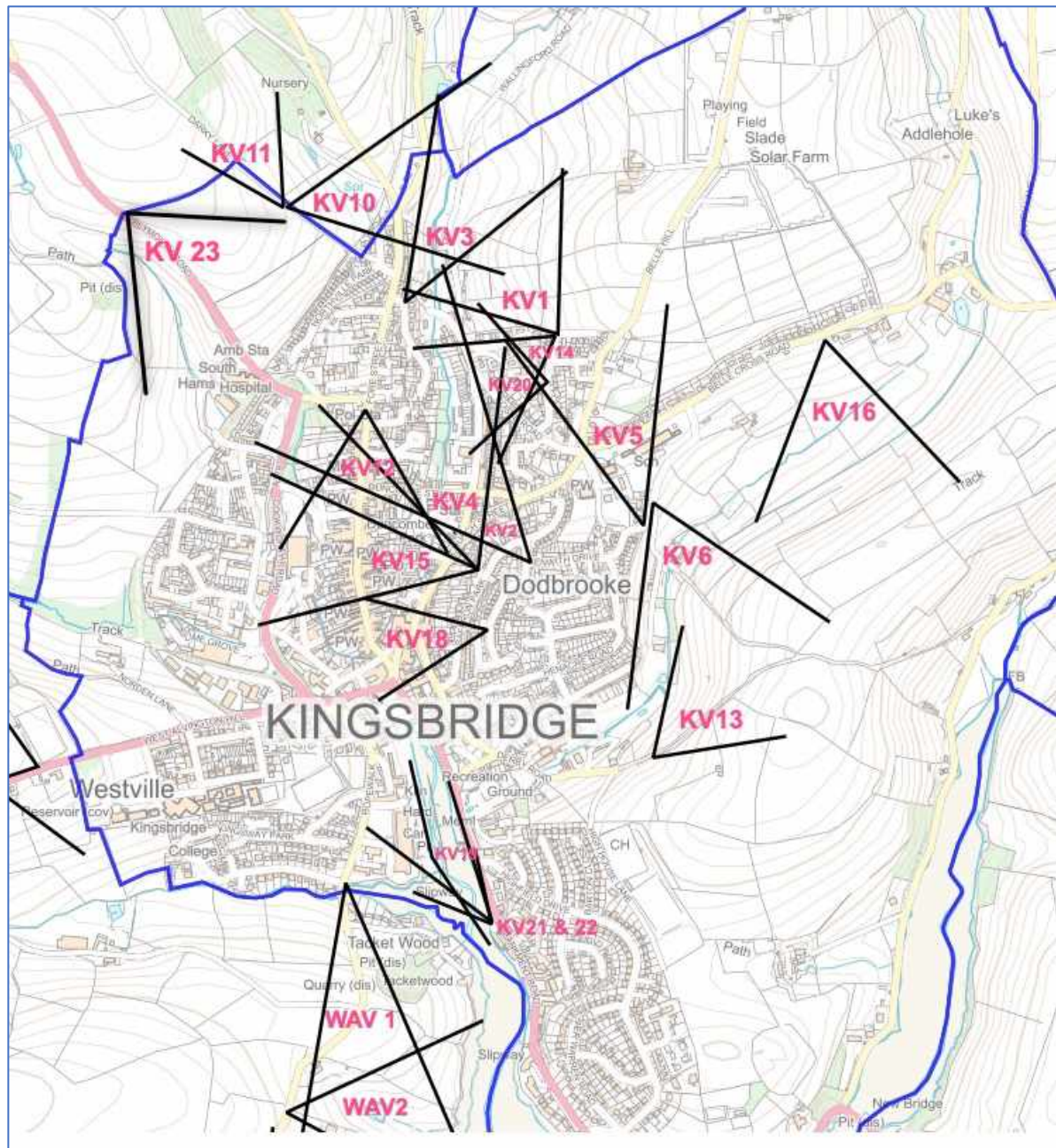


Figure 19A Locally Important Views Kingsbridge

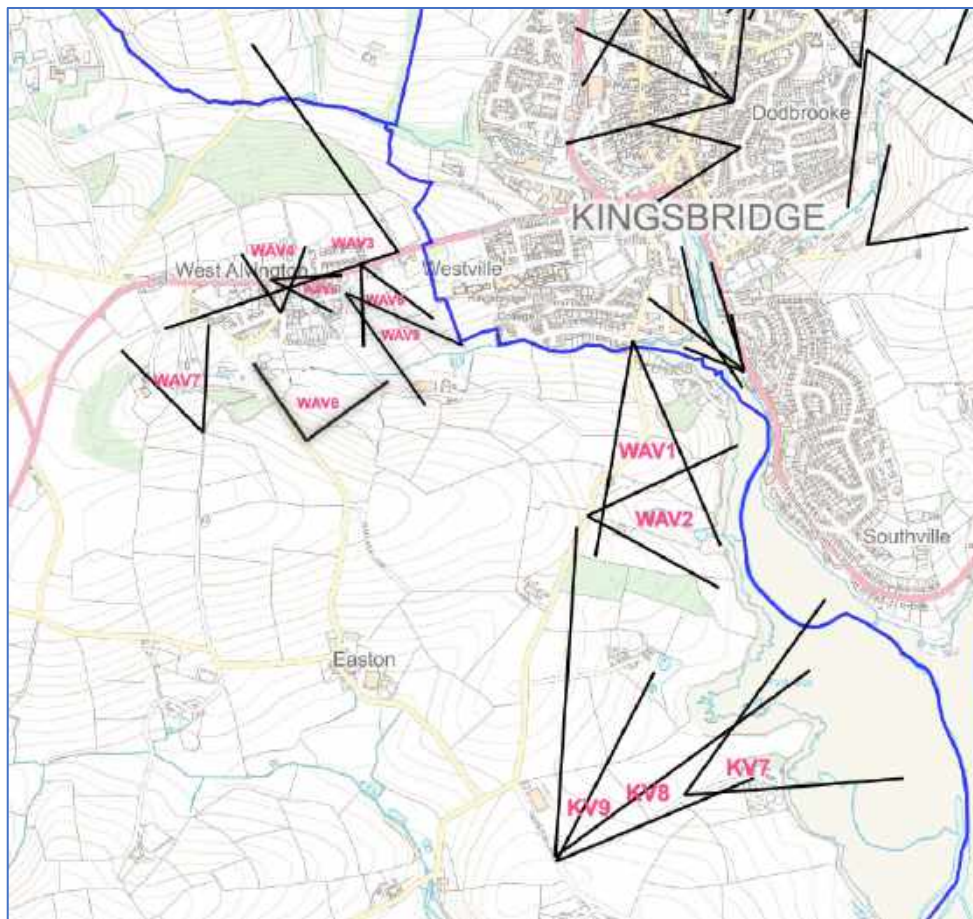


Figure 19B Locally Important Views West Alvington

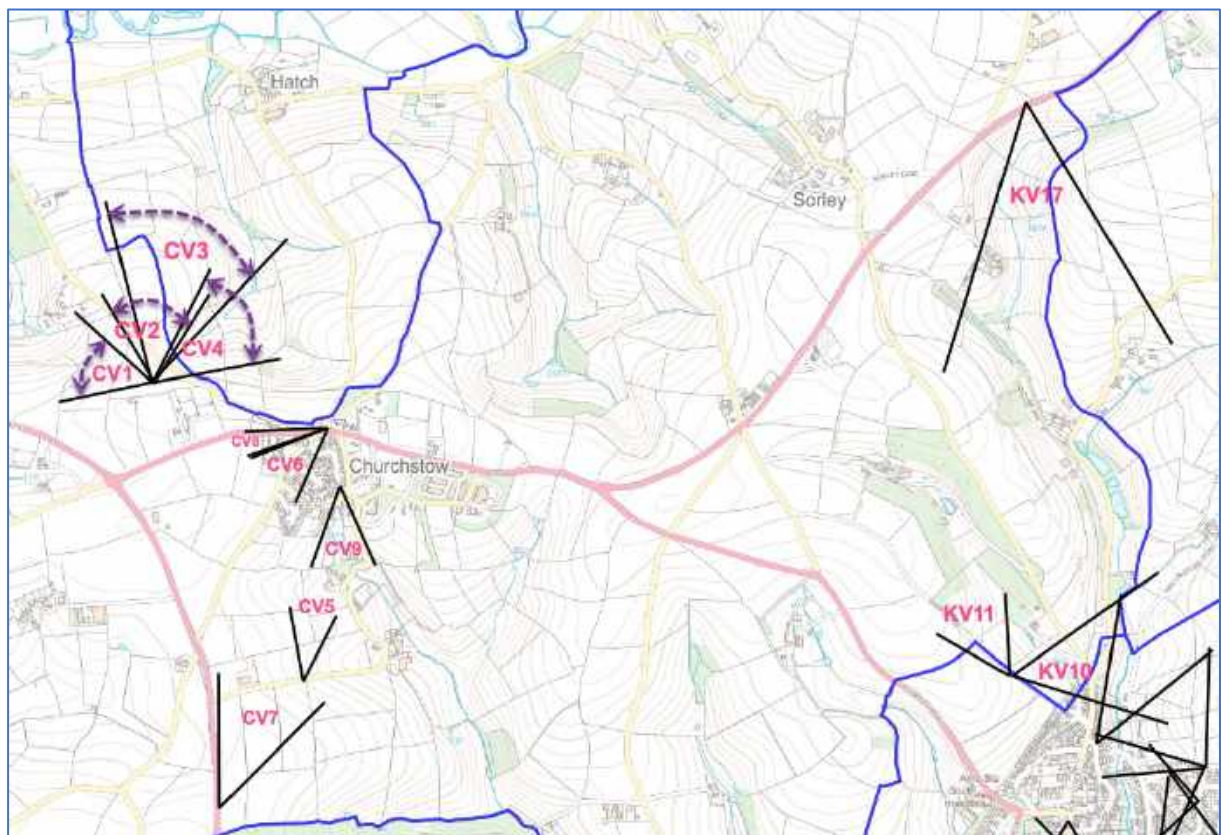


Figure 19C Locally Important Views Churchstow

5.3.5 Light Pollution: New development that increases the level of artificial light is a factor that threatens the survival of protected and threatened local wildlife and adversely affects human health. South Devon AONB Management Plan Policy Lan P4(Tranquility) and LanP5 (Skylines and visual intrusion) seek to reduce the impact of external lighting and nighttime scenic intrusion. When security and other outside lighting is used on private and public premises, including floodlighting, encouragement will be given to ensure that it is neighbourly in its use. All external lighting should be deflected downwards rather than outwards or upwards and should when possible be switched off after midnight; any movement-sensors should be regulated to reduce illumination periods to a minimum.

Policy KWAC Env5 Prevention of light pollution.

Development should not detract from the unlit environment of the Parishes and should minimise its impact on the night sky.

The impacts of a development on dark skies must be considered at application stage following the guidance of the Institute of Lighting Professionals on the impact of bats of lighting schemes (guidance note 8, Bats and Artificial Lighting)⁶

The use of a high proportion of glass in walls and roofs without consideration of the impact on the environment when internally lit will be discouraged.

Security lighting, outside lighting, and floodlighting should only be used where a clear need is demonstrated and be designed to minimize their impact on the night sky with lighting deflected downwards and switched off after midnight.

5.3.6 Risk of flooding; parts of the plan area are classified by the Environment Agency as at high risk from surface water flooding. The Kingsbridge Urban Integrated Drainage Management Plan (Pell Frischmann 2020) refers to the issues. Localised flooding is a regular hazard along existing water courses and around the Kingsbridge Quayside.

A mix of permanent improvements and regular maintenance is supported to eliminate regular flooding at the following specific areas:

- a) Kingsbridge Quayside
- b) Ilbert Road
- c) Mill Street
- d) Bridge Street
- e) Prince of Wales Road
- f) Lime Grove

⁶ <https://theilp.org.uk/resources/#professional-lighting-guides>

Policy KWAC Env6 Prevention of Flooding and the impact on water quality

Development proposals should, where necessary demonstrate that the impact on the existing foul and surface water system has been assessed and includes details of on-site mitigation if required.

Any proposals in the proximity of the Environment Agency flood risk areas illustrated in Figure 20a (fluvial flood risk), 20b (surface water flood risk) and Appendix B19 should have due regard to historic flooding incidents and the reports of these prepared on behalf of Kingsbridge Town Council, Devon County Council and South West Water.

There should be no adverse downstream impacts from water discharge on local streams, leats, flood channels and neighbouring properties.

Proposed developments must not exacerbate water issues within the Salcombe to Kingsbridge SSSI.

Development proposals should incorporate SuDS in accordance with DCC's SuDS for Devon Guidance (2017)⁷ and any sites located within the Kingsbridge Critical Drainage Area (Appendix B40) as defined by the EA should abide by the stricter drainage requirements.



Figure 20A Environment Agency Fluvial Flood Risk Areas Zone 2 light blue, Zone 3 dark blue

⁷ <https://www.devon.gov.uk/floodriskmanagement/document/sustainable-drainage-system-guidance-for-devon/>

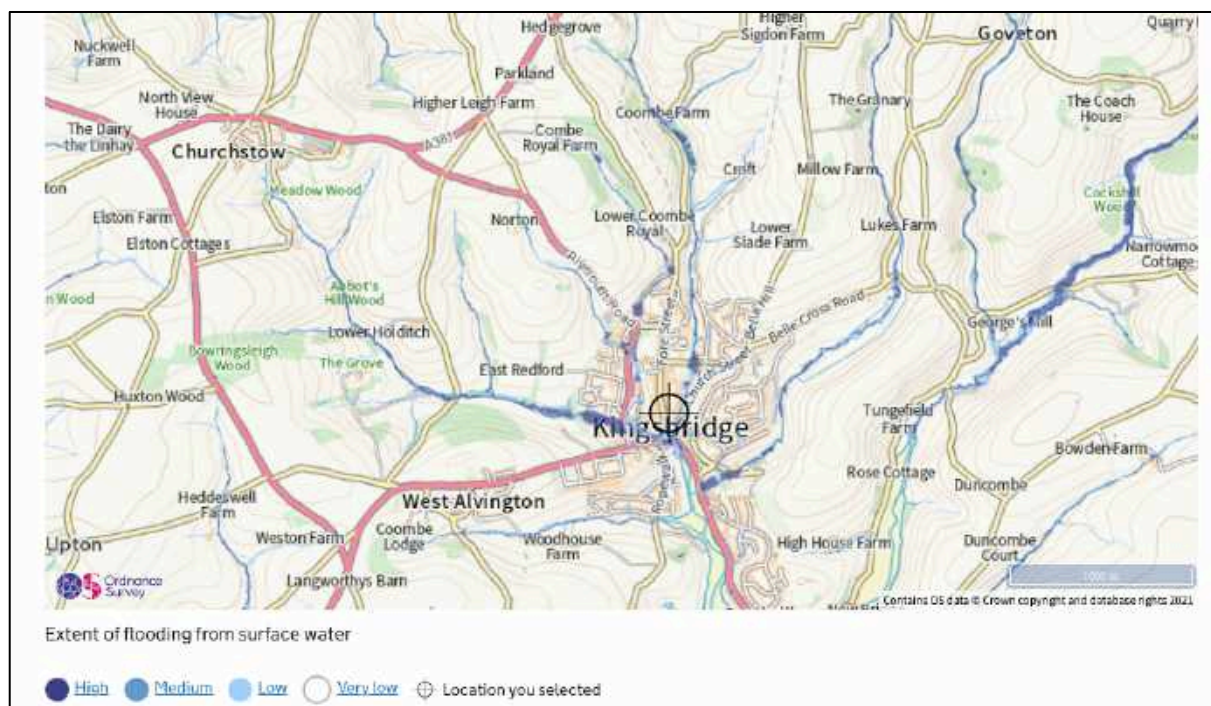


Figure 20B Surface water flood risk⁸

5.3.7 Carbon Reduction; this plan supports and develops at a local level JLP policy DEV32 (Delivering Low Carbon Development) The policies of this plan will also link to the findings of the Net-Zero Task Force⁹ that has been appointed by the Devon Climate Emergency Response Group – made up of Devon’s councils, emergency services and business groups – to deliver the Devon Carbon Plan. The Carbon Plan lays out in stark terms what every resident, organisation and business must do to reduce emissions and safeguard the planet for the next generation.

Policy KWAC Env7 Carbon Reduction

This Plan supports and encourages development including works to existing buildings that is designed and constructed to the highest standard of sustainable design and construction, energy efficiency, incorporating on-site renewable energy production, and carbon reduction.

All development within the parishes should demonstrate an awareness of the Devon Carbon Plan.

The use of recycled and natural materials sourced within Devon is encouraged.

The Parishes will work with SHDC to encourage householders and businesses to upgrade their premises and adopt practices and lifestyles that reduce their carbon

⁸ The surface water flood risk mapping can be obtained from: <https://flood-warning-information.service.gov.uk/long-term-flood-risk/map?eastings=273484&northings=44242&map=SurfaceWater>

⁹ <https://www.devonclimateemergency.org.uk/devon-carbon-plan/>

footprint and achieve low and ideally zero carbon emissions. This will include energy conservation, reduction of waste and avoidance of single use plastics.

5.3.8 Renewable Energy; this plan supports and develops at a local level JLP Policy Dev 33 (Renewable and low carbon energy (including heat)). Through the consultation process the community have expressed interest in supporting more renewable energy generation in the parishes. Not all technologies are appropriate for this sensitive landscape; there is potential for biomass, hydro-electric, heat pumps and small scale roof mounted solar. Additional solar farms or wind turbines are not considered suitable for the parishes.

Policy KWAC Env8, Encouraging renewable energy

Where planning permission is required the development of small-scale renewable energy generation with supporting infrastructure will be encouraged, this includes:

- Biomass; coppicing local woodland and hedgerows;
- Hydro; power generation from local watercourses;
- Small scale solar power when roof mounted on domestic, employment and agricultural buildings;
- Ground source and air source heat pumps;
- Community energy projects involving the above technologies.

Wind turbines and large-scale ground mounted solar power are not considered appropriate methods of generation within the South Devon AONB part of the Plan area. For the purposes of this policy small scale is defined as less than 50Kwp.

5.3.9 There is an existing community allotment plot serving Kingsbridge at Trebble Park which is sufficient for the plan period however there is a shortage of such plots evidenced by waiting lists in West Alvington and Churchstow. The location of new provision should be generally accessible by foot within or adjacent to the settlement boundary for each parish.

Policy KWAC Env9, Allotments

The plan supports the retention of community allotments at Trebble Park, and Wistaria Place, Kingsbridge and to the North of West Alvington Hill. The importance of these assets to the community, and local food production is recognised and the re-purposing or encroachment on these existing sites will not be supported. The need for further provision should be monitored in line with demand from increased waiting lists and the needs of new residents.

Where appropriate development that includes provision for community allotments will be supported.

5.3.10 Trees and hedgerows perform a number of important roles in supporting biodiversity, providing attractive shade/shelter and generally improving health and amenity. Trees will also help the plan area adapt to the effects of Climate Change. Planting more street trees in strategic spaces is a key priority of the community. New development should include the provision of suitable tree planting where appropriate.

Policy KWAC Env 10 Promotion of tree planting

Development where it is demonstrated that the proposals achieve a net gain in biodiversity and carbon capture through additional tree and other planting and appropriate land management will be supported.

Development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) will be refused, unless there are wholly exceptional reasons, and a suitable compensation strategy exists. Proposals should be designed to retain trees of arboricultural and amenity value. Proposals that impact on existing trees should be accompanied by an assessment of the health and longevity of any affected trees.

New tree planting should use only native, locally appropriate species, must not conflict with and should complement wildflower rich grasslands.

Community based initiatives to plant trees and enhance biodiversity, wildlife habitats and corridors within the plan area will be supported where appropriate.

5.3.11 Paragraphs 99 of the NPPF 2021 states that existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
- b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
- c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.

Policy KWAC Env11 Open Space and Recreation Spaces

The following areas are identified as areas of open space and recreation. These areas are illustrated in Figure 17d.

KOSR 1 Tennis Club, Ebrington Street.

KOSR 2 Kingsbridge Community College (KCC) All-weather pitch

KOSR 3 KCC grass area to front of main entrance (old Cricket Pitch).

KOSR 4 KCC Playing Fields and rugby pitch to south and east (over A379) of school.

KOSR 5 Rugby pitch, Belle Hill.

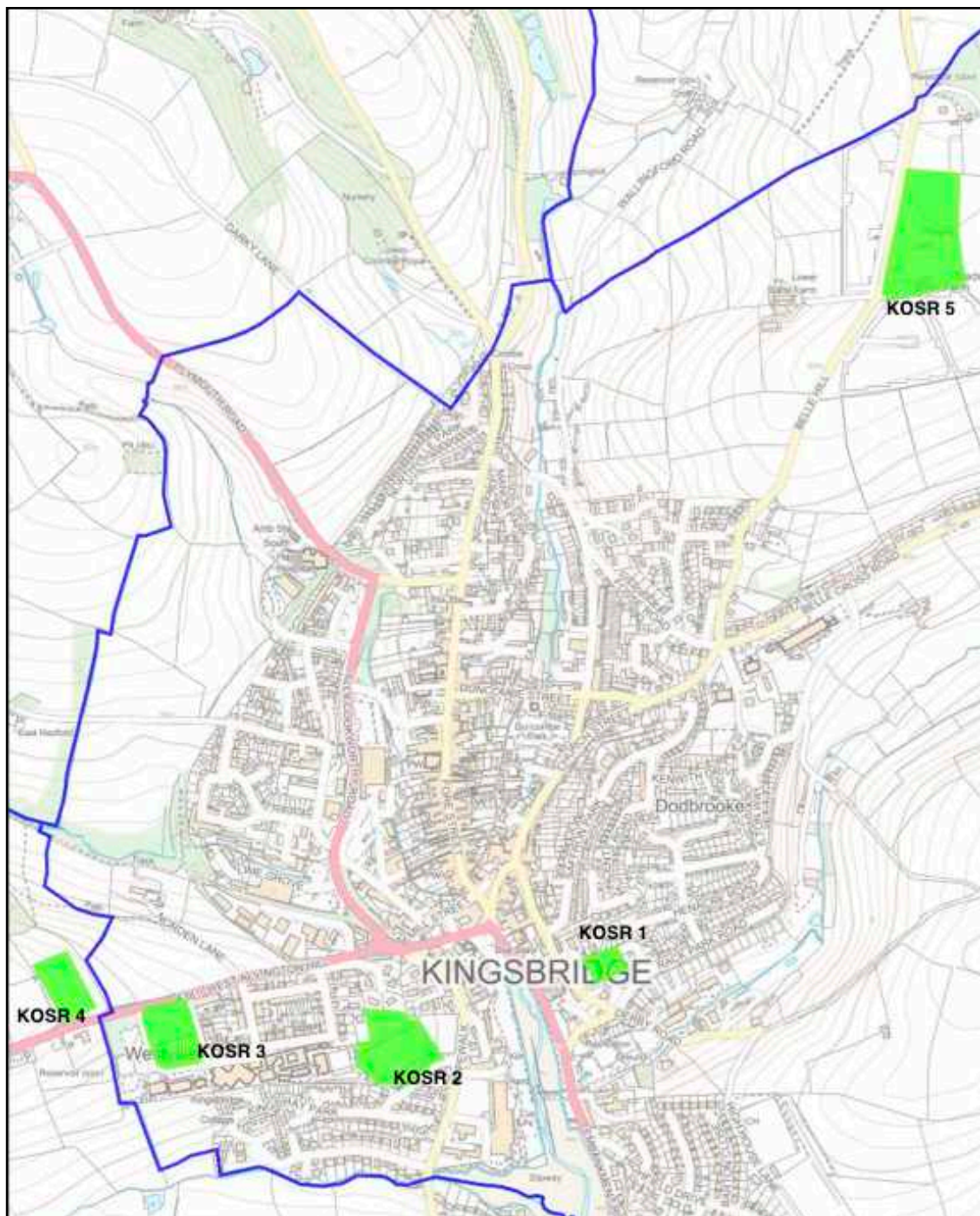


Figure 17d Areas designated for Open Space and Recreation

5.4 Theme 2 Housing and Homes

5.4.1 Purpose of the theme policies

This plan supports the greater provision of truly affordable dwellings in Kingsbridge primarily for local people. This includes homes for all ages but particularly young families and the elderly. All provision should respond to local need in both the open market and rental sectors. Evidence supporting the Plan's housing policies is included in Appendix A7 and the Housing Needs Assessment 2021 (HNA) included as Appendix A8. The policies should address concerns that many recent new build housing developments are or will become second homes and rental properties. The plan supports where appropriate the use of Previously Developed Land ('brownfield') for housing sites, and this should be prioritised over greenfield sites. In parallel with the plan a locally led delivery strategy is proposed that prioritises truly affordable homes that are sensitive to their rural setting. Beyond meeting a proven need for affordable housing for local people no additional new build housing provision is supported in Churchstow.

5.4.2 The KWAC HNA 2021 produced by consultants AECOM in support of the housing policies of Plan focused on affordability issues and included justification of the levels of discount levels for First Homes, policy guidance on tenure mixes and on size mix. The assessment also establishes the challenging affordability context in which the second homes issue should be viewed. In more detail the HNA covered;

- The estimated costs of every tenure of housing (and some permutations within them by dwelling type, income dedicated to rents, and discount levels).
- Calculations about the scale of need for affordable rented housing and affordable home ownership.
- A list of considerations that might be taken into account influencing affordable housing tenure mix.
- A model that anticipates dwelling size needs according to demographic trends.
- Assessment of the current level of second homes in the Plan area with policy advice on introducing a Principal Residence requirement subject to the outcomes of the latest census.

5.4.3 Getting genuinely affordable housing built in any quantity in our area is a long recognised need for the local community. It was identified as a major local issue in 2003 in the Kingsbridge and Salcombe Area Market and Coastal Towns Initiative report "Action 2020 – Community Action Plan". (See Appendix B7) Both central government and SHDC have only recently started to recognise the market limitations of their current affordable housing policies in areas of high market prices and low local wage levels. Attempting to fund vital low cost housing by cross subsidising the building cost from commercial developments clearly does not produce the necessary volume of truly affordable new homes. The definition of 'affordable' as being a maximum of 80% of open market prices is still too expensive for the local average level of salaries. The recently published (2021) South Hams District Council Housing Strategy for 2021-26 prioritises the provision of new housing to meet known local need rather than open

market housing. This includes a significant focus on affordable homes for lower income households. The SHDC research evidence underpinning the strategy provides a general rationale for the plan's affordable housing policies based on established local needs.

5.4.4 A review of the Indices of Multiple Deprivation (IMD) 2015 and 2019 (see Appendix A6) indicated that the plan area performs poorly in the domain covering barriers to housing and services and falls within the lowest 10%. The domain measures the physical and financial accessibility of housing and local services. The indicators used cover two sub-domains: covering the physical proximity of local services and the issues relating to access to housing such as affordability.

Policies

5.4.5 Proposals for **affordable housing** development on the sites identified in the Plymouth and South West Devon Joint Local Plan 2014 -2034 (JLP) and this plan will be supported.

Policy KWAC H1 Affordable Housing within Settlement Boundaries

Proposals for affordable housing development within the settlement boundaries will be supported where:

- a) The number of affordable homes to be delivered is in line with the need as defined by the Housing Needs Assessments, Devon Homes Choice or the local affordable housing register in place at the time and where a need has been identified, includes custom and self-build plots where feasible.
- b) The range and size of dwellings especially single bed units is in line with the need as defined by Devon Homes Choice.
- c) Housing for the increasing number of older people, and those with special needs in the parishes is provided.
- d) Homes are proposed for rent, purchase and shared ownership. Based on the recommendations of the HNA for this Plan and subject to viability approximately 75% of Affordable Housing units should take the form of rented tenures such as social and affordable rent, with the remaining 25% as affordable routes to home ownership, focused on First Homes where appropriate.
- e) They provide discounted 'First Homes' for young families shall be provided in line with National Policy and guidance. To respect the evidence of the Housing Needs Assessment (Appendix A8) discounts should be, subject to viability approximately 50% on a new home price to ensure First Homes are affordable to local incomes.
- f) Homes should be occupied by people with a local connection which is defined within the SHDC Adopted Local Allocation Policy (2017). The early needs of key workers (e.g., health, fire brigade and lifeboat crew) should be considered exceptional circumstances under the provisions of the allocation policy.

g) Affordable housing for sale is subject to a legal restriction to ensure the homes remain affordable and that the discount is maintained in perpetuity;

Such developments could include proposals for Community Led Housing.

5.4.5 Market Housing

The delivery of new open market housing within Kingsbridge and West Alvington Parishes is supported on allocated sites within the JLP and earlier Development Plans and infill sites within the settlement boundaries providing the housing meets the local need. The allocated sites are shown in Figure 21.

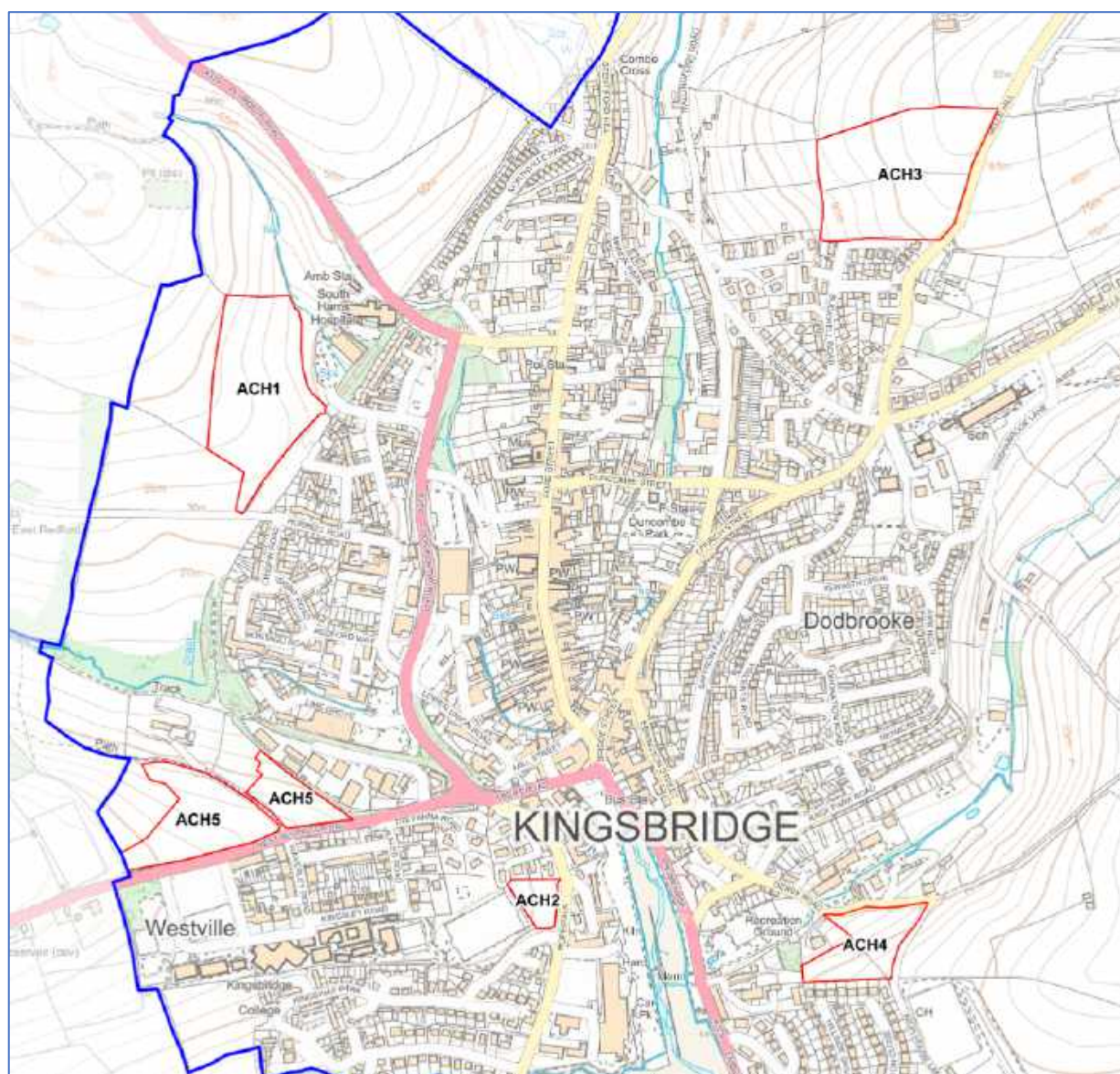


Figure 21 Allocated Housing Sites within Kingsbridge Parish (lined in Red)

A summary of the allocated sites is as follows:

| Ref no. on Fig. 20 | Title and Development Plan Ref. | Total no. of homes | No. of affordable homes | Status |
|--------------------|---------------------------------|--------------------|-------------------------|-----------------------|
| ACH1 | TTV12 Trebble Park | 111 | TBC | Allocated |
| ACH2 | TTV10 Ropewalk | 60 | TBC | Allocated |
| ACH3 | TTV 11 Belle Hill | 96 | 28 | Under construction |
| ACH4 | K4 Garden Mill | 32 | 3 | Allocated & consented |
| ACH5 | K5 West Alvington Hill | 52 | 16 | Under construction |

Policy KWAC H2 Market Housing

Proposals for market housing will be supported within allocated sites of the JLP, on infill sites within the designated settlement boundaries of the Plan or as part of an exception site as set out in Policy KWAC H3 (If market housing is required to cross subsidise the affordable housing scheme). The housing should respond to local housing needs in terms of type, size, special needs, and tenure. Consideration should be given to provision of housing solutions for young families and the increasing number of elderly in the parishes in the form of development aimed at older persons, including market sale sheltered, extra care or assisted living housing. This Plan also supports opportunities for existing residents to downsize and make more larger units available to the market.

5.4.6 The use of **Exception Sites** to deliver affordable housing will be supported in line with National Policy and JLP Policy TTV27. A site will only be permitted if it meets a proven need for affordable housing for local people as stated in Policy KWAC H1 and that management of the scheme will ensure that the dwellings continue to meet such proven needs for initial and subsequent occupiers.

5.4.7 Settlement boundaries are designated for Kingsbridge, West Alvington and Churchstow as shown in Figures 14, 15 and 16. Proposals for residential development on sites adjoining the settlement boundary which would not otherwise be released for open market housing may be permitted, provided that it can be demonstrated that the development should not have an unacceptable impact on the visual and landscape amenity of the area, the AONB, and the design is in compliance with the South Devon AONB Management Plan and AONB Planning Guidance. A safe and suitable pedestrian route to the settlements should be provided. At South Hams District Council's discretion, a small number of market homes may be permitted where necessary for the development to be financially viable.

Policy KWAC H3 Rural Exception Sites outside the settlement boundaries.

This plan supports the use of Rural Exception Sites to deliver affordable housing where they comply with National Policy and JLP policy TTV27 and all other relevant policies in the Development Plan.

5.4.8 This plan supports the provision of a full time principal residence policy within all parishes applied on all new build housing should the situation arise when the impact of second home ownership can be adequately evidenced to support the introduction of a such a policy. Second home ownership makes a valuable contribution to the local economy and social fabric of the parishes however, their sustainability will be compromised if the number of properties that are not occupied on a permanent basis increase significantly beyond existing levels.

5.4.9 The HNA 2021 (Appendix A8) considered the current extent of second home ownership in KWAC and related trends. It found that there is a fairly substantial quantity of second and holiday homes in the neighbourhood plan area, with minor deviations across the three parishes. The 2011 Census counted 364. Uplifting this figure with reference to the rate of growth in commercial holiday lets in the component areas of KWAC from 2011-2020 suggests a current total of around 486 units. This is approximately 14% of all properties. The likely growth in this indicator dovetails with a context of dramatically worsening affordability in KWAC that is evidenced in the HNA.

5.4.10 SHDC supports in principle the inclusion of a Principal Residence Requirement within Neighbourhood Plans where such a requirement is justified. In response to the question from the JLP Examination Inspectors whether ‘a restriction on the use of new dwellings as holiday homes was justified in the South Hams?’ JLP Council’s response was as follows: ¹⁰

8.94 The number of homes not used as primary residence is particularly high in the South Hams part of the TTV. Both South Hams and West Devon received a substantial sum of money to deliver more affordable homes through the Community Housing Fund in recognition of this. Evidence also exists of in HO3, HO9, TP3, SHMA and CTB1 (council tax reports) and the Strategic Housing Market Assessment Part 1: The Housing Market Area and Updating the Objectively Assessed Need (HO13).

8.95 At this time it is considered that the appropriate mechanism to bring such a policy forward is a Neighbourhood Plan. It is through NO (sic) that the above District / Borough wide evidence can be reviewed, analysed and supplemented with a view to informing the need, justification and effectiveness of a restrictive policy.

8.96 To this end the Council (South Hams) resolution of 15 December 2016 stated that ‘this Council notes the ruling of the High Court (Case No: CO/2241/2016) in support of a housing policy known as ‘H2. Full Time Principal Residence Requirement’ as set out in St Ives Area Neighbourhood Development Plan and which provides that: ‘New second homes and holiday lets will not be permitted at any time ...’ and ‘supports Town and Parish Councils within the South Hams District to adopt similar policies in their own Neighbourhood Development Plan’

¹⁰ PSWDJLP Examination Hearing Statement Matter 8 Question 8.5(vi)
<https://www.plymouth.gov.uk/sites/default/files/JLPCouncilsResponseMatter8PolicyAreaStrategiesThrivingTownsVillages.pdf>

5.5 Theme 3 Employment, Economy and Training

5.5.1 Purpose of the theme policies

Sustaining the local tourism industry and activities that support it, such as marine and land-based leisure is the highest priority for this theme. The plan supports a vibrant high street with independent shops and mechanisms to attract people to the town, such as lower parking charges, free toilets, and more regular events and markets. Promotion of more employment opportunities is supported within Kingsbridge and West Alvington that reduce the need for commuting, provide opportunities for young people, and increase household incomes. Broadening the types of employment is encouraged in the town and villages by supporting knowledge-based businesses, flexible office space that aids expanding and start-up businesses. Heavier industrial uses should be limited in the town and villages and must be compatible with the transport infrastructure and surrounding residential neighbourhoods. Support for rural and sustainable farming related businesses. Promote links to training providers, colleges and universities. No additional business development is supported in Churchstow.

5.5.2 Economic Strategy Research

The economic strategy research by JOHT Resources Ltd (Nov 2020) commissioned for the Plan (Appendix A6) indicates that the plan area and its wider hinterland are quite well contained with around 50% of the working population both living and working here. Maintaining a strong level of local employment is therefore important, both to provide for the local population and because it supports wider sustainability goals e.g. in pursuing a low/zero carbon economy. In 2017 Kingsbridge performed well on a 'town centre health check' (Appendix B11) providing a strong local centre focus for the area. This emphasises the need to ensure that the Kingsbridge area continues to provide that vital local centre role for its residents and the surrounding area. The five sectors which collectively amount to about 61% of employment in the KWAC parishes were in order of magnitude wholesale/retail, construction, health and social work, accommodation and food services and education. The balance of employment by sector is both a strength and a potential issue. The strength is that it is supporting the local service centre role of Kingsbridge and the wider area. The issue is that some of these sectors are lower paid, lower productivity sectors. Aspirations of this plan to rebalancing of sectors must be achieved without damage to the existing and important service sector business base. A research paper commissioned by the Royal Town Planning Institute in 2018¹¹ on settlement patterns notes that concentration of people, resources and activities helps to generate economic growth, better use of resources and innovation. Increased accessibility can aid business clustering, complementarity,

¹¹ Settlement patterns, urban form and sustainability – an evidence review. Royal Town Planning Institute. Research Paper, May 2018.

supply chains – but can lead to congestion and other issues. It discusses increased density and land use mixes to encourage modal shift from the car to walking, cycling and public transport; with a reduction in car use meaning excess car parks/road space can be put to more productive uses. The employment policies of this plan set out to support additional and intensified employment sites within the existing urban area.

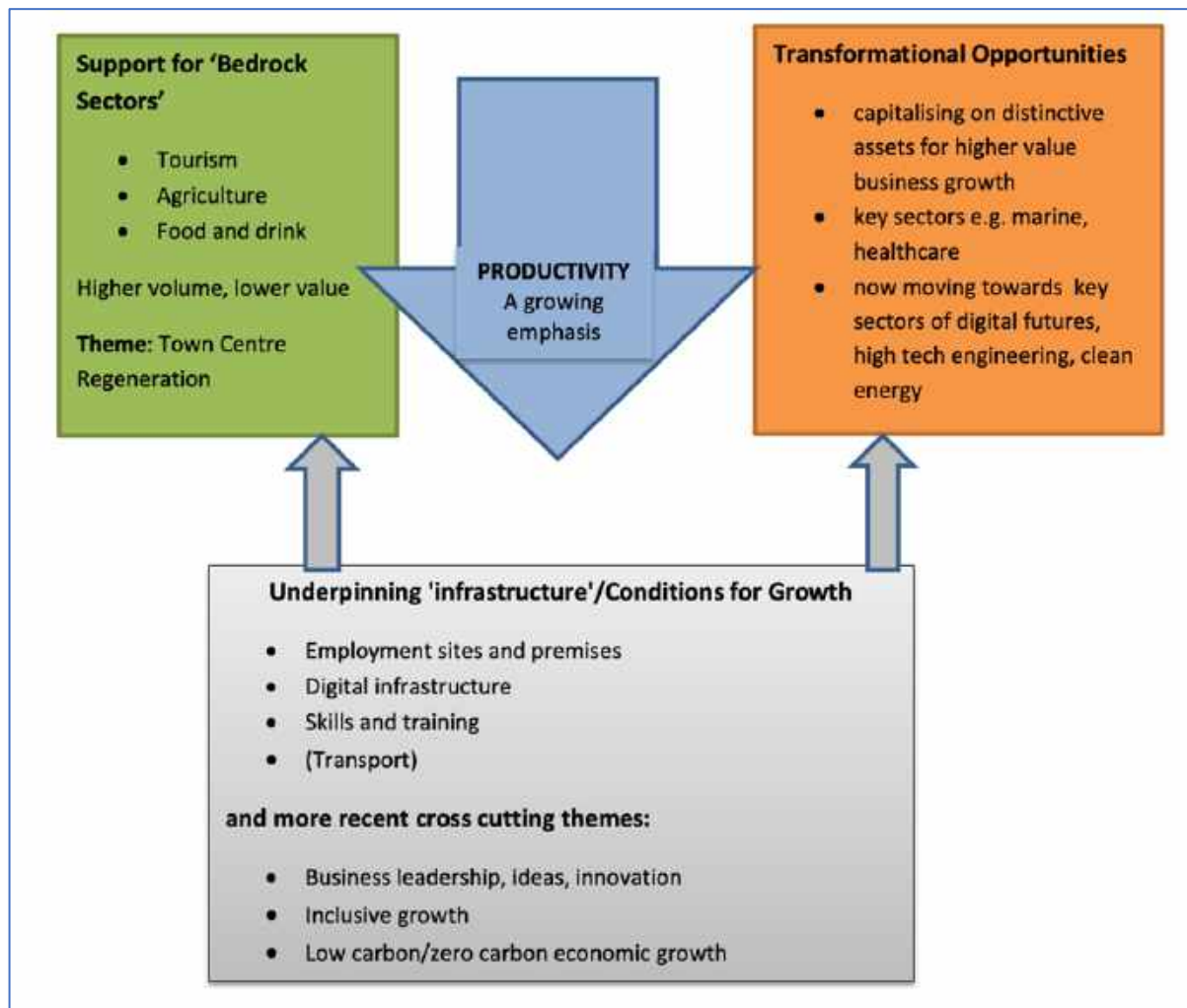


Figure 22 summary of Economic Policy Review by JOHT Resources 2020

5.5.3 The community survey held in 2019 elicited a number of policy and aspiration proposals that included:

- Keeping existing employment land in employment use and expanding such uses.
- Encouraging some businesses who don't need a central site to consider relocation to another site in the area, enabling re-use of some sites which in turn could help to e.g. bring in new employment uses, enable small start-up premises.
- More training and meeting spaces to support home working.
- Town centre public realm improvements and more pop-up uses.
- Support for 5G infrastructure provision.
- Mentoring of new business start-ups including those coming into the area.
- Marketing Kingsbridge as a good work-life balance location – to draw in new business

5.5.4 This plan supports all new employment development that will help businesses improve productivity. Key higher value (transformational) sectors will be encouraged as well as supporting existing sectors to work smarter through carbon reduction and embracing digital technologies. This plan supports and endorses the work of Team Devon and the Devon COVID 19 Economy and Business Recovery Plan.

Policies

5.5.5 This plan supports the **development and or redevelopment of employment land** and premises in the plan area that maximises potential for increased local employment with more and flexible business spaces. New development or re-development should integrate alternative and low carbon energy and energy efficiency measures in all facilities and land uses. New employment development should also respect the provisions of policies KWAC Env7 (Carbon Reduction) and KWAC Env8 (Encouraging renewable energy)

Policy KWAC Em1 Safeguarding of Existing Employment Uses.

The change of use of existing employment sites will only be supported in exceptional circumstances and in accordance with the provisions of Policy DEV14 of the JLP.

Where the loss of an employment related site is justified as no longer viable the applicant must demonstrate through an independent assessment that the vacant unit has been actively marketed and offered at a reasonable sale price (comparable with valuations achieved elsewhere in the District) for a minimum period of 1 year.

5.5.6 The KWAC area and hinterland has various employment and industrial estates. These sites are listed in the economic strategy research produced for this plan and included as Appendix A6. These sites accommodate a number of employers that support the local service activities. Two sites in particular; - Lower Union Road and

Orchard Industrial Estate notwithstanding multi-ownerships would benefit from a **renewal and improvement strategy** to make best use of the allocation in concert with redevelopment or improvement. The area is illustrated in Figure 23. A development brief has been prepared and included as Appendix B33 to move the regeneration process forward and elaborates and develops the policies of this Plan.

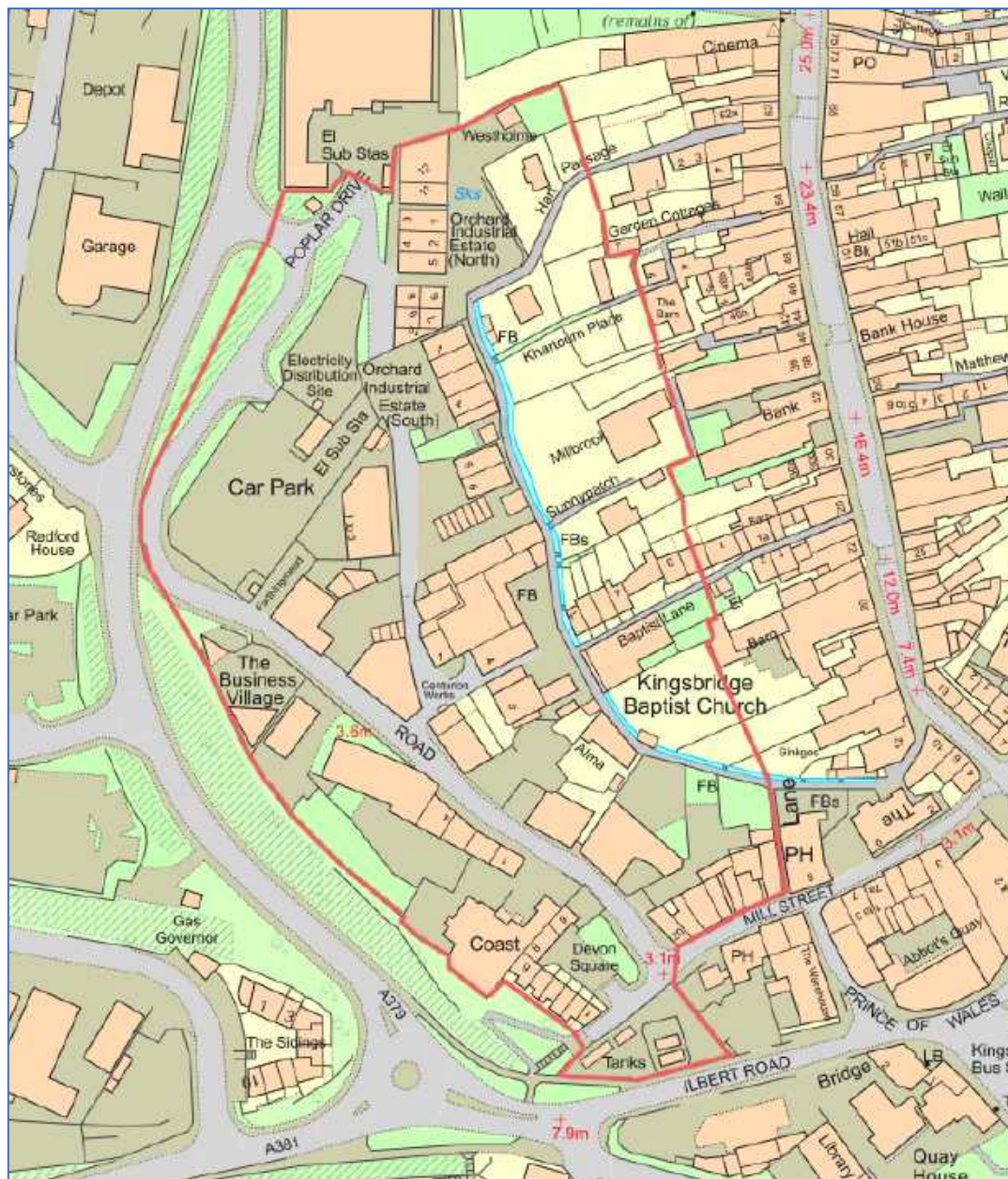


Figure 23 Lower Union Road, Orchard Industrial Estate and Western Backway Regeneration Area lined in red
AREA IDENTIFIED FOR INFORMATION ONLY, THIS IS NOT A SITE ALLOCATION

Policy KWAC Em2 Sites at Lower Union Road and Orchard Industrial Estate.

Proposals for renewal and regeneration of sites at Lower Union Road and Orchard Industrial Estate will be supported where:

1. The existing employment sites are not compromised, and proposals are in conformity with JLP Policy DEV14.
2. If they include ancillary retail and residential uses forming part of live work or small infill developments, they should complement existing uses. In such mixed use developments only user class E (commercial, business and service) employment related uses will be supported.

In order to consider improvements on a comprehensive basis rather than piecemeal development a development brief for the regeneration of Lower Union Road , Orchard Industrial Estate and the adjacent Western Backway has been prepared for information and included in Appendix B33. Proposals in the area described in figure 23 should respect and respond to this brief.

5.5.7 This plan supports sustaining the existing level of retail uses in the **Primary Shopping Area**. The extent of the area is included in the Plymouth and SW Devon JLP Supplementary Planning Document (July 2020) and illustrated in Figure 23 This policy develops and expands JLP Policy Dev 18.4 and the encouragement of User Class A1 and limits on non-shopping uses (A2 and A3) at ground level (all A uses now revised to User Class E Commercial Business and Service from 1st September 2020). The 40% of the overall number of units being in non-Class A1 uses stated in Dev18.4 for Kingsbridge should be considered a maximum and should be significantly lower in line with current usage. This plan supports all measures to enhance the central shopping area by attracting funding and town centre regeneration initiatives.

5.5.8 Planning consultants Lichfields in their July 2020 Insight Report on supporting the recovery of town centres ¹²noted that town centres had already been going through major restructuring pre – pandemic, which has now been accelerated by it. It notes some recent factors of change as including:

- An increasing functional demand to work remotely;
- An increasing demand to shop remotely and more locally, alongside a decreasing demand for retail floorspace;
- More homes being delivered above ground floor uses in and on the edge of town centres;
- Greater representation of schools, health centres and local community and learning uses on the high street;

¹² Supporting the recovery of high streets and town centres, Insight Report, July 2020, Lichfields

Kingsbridge, West Alvington and Churchstow Neighbourhood Plan

- Greater sharing of uses and across a longer opening time – it cites examples such as cycle shops becoming community cycle hubs in the evening or daytime coffee bars becoming evening wine bars;
- Investment in public realm and local markets to reinvigorate high streets

It suggests a positive approach to planning for town centres is needed, including supporting independent businesses, and attracting new investment.

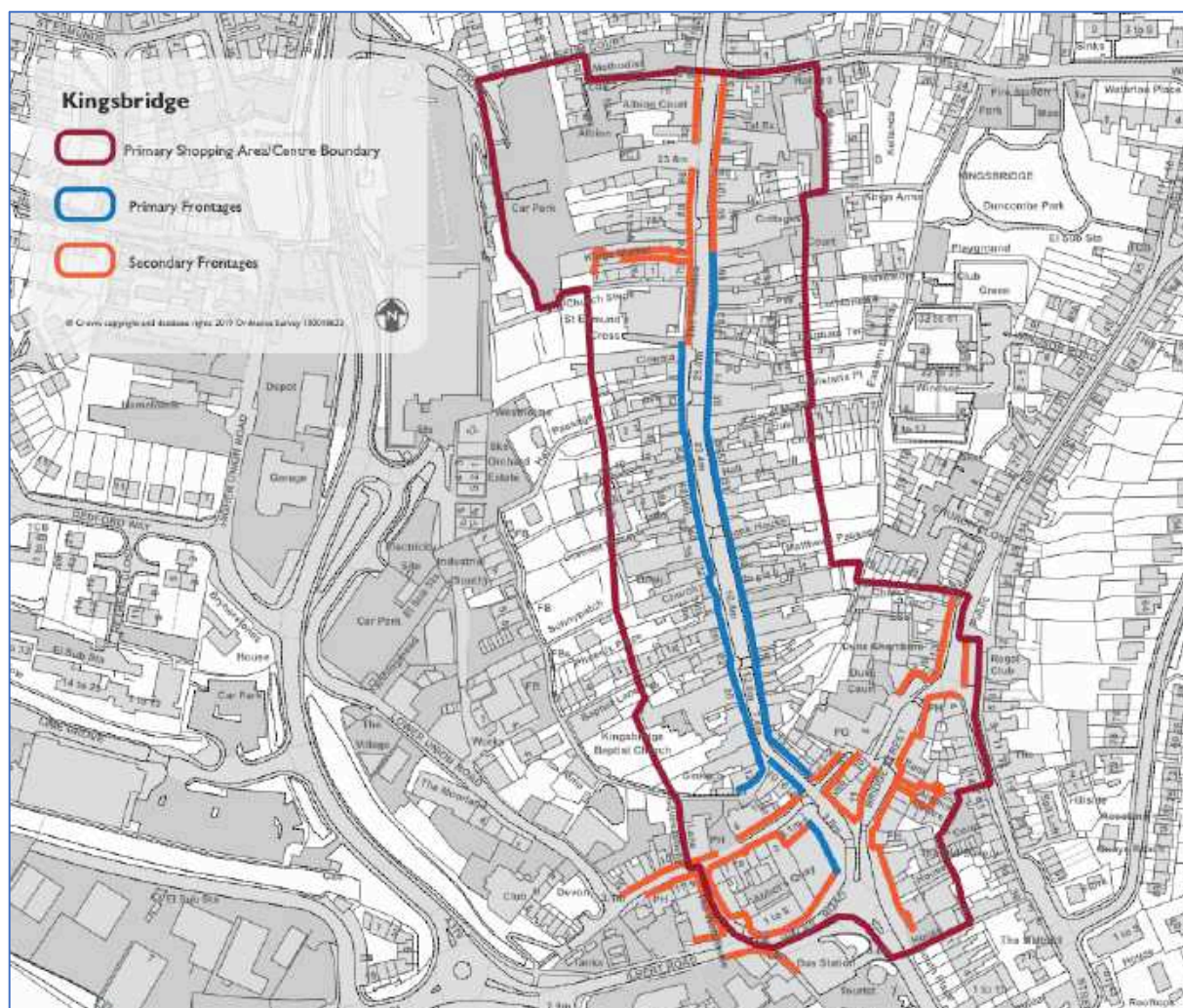


Figure 24 Primary Shopping Area Kingsbridge, Source JLP SPD July 2020

Policy KWAC Em3 Support for the central shopping area of Kingsbridge

A development brief for Kingsbridge Primary Shopping Area has been prepared and included in Appendix B32 All development in the area should respect and respond to this brief.

At upper levels of the Primary Shopping Area this plan supports development of flats over shops in vacant or under-used accommodation. Ancillary uses will be supported providing they do not undermine the shopping and historic characteristics of Fore Street and the Primary Shopping Area. The amenity of existing uses should not be compromised with new development through noise, smells and congestion on pavements.

Where the loss of a retail related site is justified as no longer viable the applicant must demonstrate through an independent assessment that the vacant unit has been actively marketed and offered at a reasonable sale price (comparable with valuations achieved elsewhere in the District) for a minimum period of 1 year.

5.5.9 The research commissioned by the NPG from JOHT (Appendix A6) to support the economic objectives of the plan indicates that changing business trends and the impact of the Covid pandemic will create **opportunities for new types of working** in the plan area and changed employer and workforce perceptions on workspace requirements. New opportunities include mixed use, home working and remote working. Such initiatives can help facilitate business start-up and development in different sectors, which could include:

- Temporary uses to encourage businesses to trial new business market opportunities;
- More flexible work spaces including for collaboration;
- Taking advantage of any redevelopment of existing business premises to consider potential for more of and flexible business use – to increase both the amount and adaptability of workspaces.

Policy KWAC Em4 Mixed use employment including living over the shop, and live work.

A combination of employment and living accommodation is supported providing:

- a) the development is in keeping with the scale of the surrounding residential area and other businesses;
- b) the new use will not have any detrimental impact on local residential amenities;
- c) significant amounts of traffic and a need for parking will not be generated that cannot be adequately catered for by the existing infrastructure locally;
- d) The proposal will not have a harmful visual impact on either the village, town or the adjacent open countryside.

Mixed use is defined as development of sufficient size to accommodate a genuine business use and any residential accommodation is ancillary to that use.

5.5.10 Tourism is recognised in the HotSW LEP Strategic Economic Plan (SEP) 2014 to 2030 and the Development Plan (Policy TTV 2.5) as one of the highest economic drivers and core traditional sectors in the area. The SEP also recognises the challenge to extend the season and develop all year round tourism employment. The policy below sets out to encourage more innovation and diversification in the sector.

Policy KWAC Em5 Promotion of innovative tourism businesses

This plan supports development that extends the tourism season and includes new, innovative and sustainable tourism related uses. Activities include but are not limited to:

- a) Estuary and water based leisure activity, excluding those harmful to the marine and foreshore environment and contrary to the latest South Devon AONB Estuaries Plan and the Salcombe and Kingsbridge Harbour Bylaws;
- b) The research and development of technologies that support the marine leisure industry;
- c) Glamping, camping, camping barns and lodges that link to the SW Coastal Path and cycle routes;
- c) Cycle and electric cycle hire facilities supporting sustainable tourism and transport.

The proposed uses should be compatible with their surroundings and setting within the town, river, countryside and conserve and enhance the South Devon AONB.

5.5.12 The JOHT Research Report (Appendix A6) makes clear that broadening the employment base to support the bedrock sectors and diversification into further 'transformational' sectors has the potential to bring in some higher value employment opportunities to the plan area. To further opportunities in existing and emerging employment sectors this plan supports developing training links with Higher Education (HE) e.g. University of Plymouth or Further Education (FE) providers e.g. South Devon College .

Policy KWAC Em6 Support for training links that reinforce the existing skills base and emerging new types of employment.

Opportunities for the development of employment uses that promote hospitality, tourism, local traditional and rural skills and safeguarding these for future generations will be encouraged.

The introduction of opportunities for new and emerging clean employment types that include but not limited to marine, healthcare, digital, and clean energy will also be encouraged.

Development proposals in the above sectors will be supported where they provide training facilities to improve the knowledge and skills of local people.

Development proposals that establish training links with the South West's universities and further/higher education facilities will also be supported.

5.6 Theme 4 The Built Environment

5.6.1 Purpose of the theme policies

The plan sets as a priority the adoption of a brownfield first policy that focuses new development on existing sites within the settlement boundaries including; - the regeneration of Fore Street, Kingsbridge, bringing redundant and empty units back into use, and the regeneration of Lower Union Road as a mixed-use development area. The plan proposes the delivery of a community supported development strategy for the Kingsbridge Quayside and town square. A high standard of design quality is proposed that is locally distinctive and respects the historic cores of the villages and town and their conservation areas. A set of design standards within and outside the conservation areas is proposed. The plan identifies a number of buildings within the villages and town that are considered by the community as local heritage assets that should be respected in future development within or beside an asset. Some heritage assets are already designated and listed whereas others are non-designated and recorded in this plan.

5.6.2 Policies

5.6.2.1 A core principle of the NPPF is to “*encourage the effective use of land by reusing land that has been previously developed (**brownfield land**), provided that it is not of high environmental value*”. The plan area’s rich heritage, need for affordable housing, and employment space and the natural landscape constraints make the reuse of brownfield land an essential part of the delivery of new sites for development.

5.6.2.2 While it is acknowledged that not all brownfield land is suitable for development, latest statistics from the Homes and Communities Agency indicate an estimated 61,920ha of brownfield land in England. Of this, 54% is derelict or vacant, while the remainder is in use but with potential for redevelopment. DCLG figures (2010) suggest that approximately 35,000ha is considered suitable for housing. The Campaign for Rural England Housing Foresight Report (2014) suggested that brownfield land has the capacity to support over 1.8 million new homes. However, despite the identified high housing capacity, the most recent government figures have shown a decline in the proportion of dwellings delivered on brownfield land.¹³

5.6.2.3. The policy below promotes the development of brownfield sites within the existing urban area of Kingsbridge. Many of these sites are in current use and any redevelopment is contingent on land owner support and the satisfactory relocation of these uses within the parishes or adjacent parishes. The intensification of employment uses at nearby Torr Quarry within the adjacent parish of Buckland-Tout-Saints may assist in delivering this policy.

¹³ Brownfield First: making better use of land-The Environmental Industries Commission 2016

Policy KWAC BE1 Brownfield first

This Plan supports the development of brownfield sites before greenfield sites, other than those allocated in the JLP. This strategy complements the greenfield sites allocated in the JLP whilst seeking to minimise further encroachment on the open countryside and AONB. Proposals for the redevelopment of brownfield land will be prioritised unless there is proven demand that cannot be met by the brownfield-first approach.

Where suitable previously developed sites are available, proposals for greenfield development will not be supported unless it can be demonstrated through a comprehensive feasibility study that the brownfield site is unsuitable for the proposed development.

As stated in policy KWAC EM1 change of use of existing employment sites will only be supported in exceptional circumstances and in accordance with the provisions of Policy DEV14 of the JLP.

Re-development of brownfield sites should be subject to a comprehensive survey of existing heritage assets and must avoid harm to these assets and protect and enhance the historic environment as set out in national and local policy.

Proposals for the re-development of previously developed sites must comply fully with national policy and guidance and the Development Plan having particular regard to managing flood risk and water quality.

5.6.3 The **quayside and town square** located at the head of the estuary is probably the most distinctive feature and considered the ‘jewel in the crown’ of the town. This area provides passive and active recreation facilities, the venue for fairs, markets, car parking, a transport hub, bus station, tourist information centre, public toilets, boat parking, small boat marina and slipway access to the water. The Kingsbridge Leisure centre and pool is the envy of many local towns with a wide range of facilities. The pool was delivered through significant public donations and local fund raising. The leisure centre is quite remote from the town centre; any measures that improve connections and access to the centre particularly for pedestrians will be supported. SHDC has long held ambitions to develop parts of the quayside, the local community recognise that there are opportunities to regenerate and develop parts of the area whilst maintaining the existing qualities and functions of the quayside. This Plan recognises that the improvements proposed at the quayside and town square must balance activities that support the community and economically generating uses. A development brief for the area has been prepared and included as Appendix B34 The objectives include the in principle support for flexible and adaptable spaces as temporary uses providing they are in keeping with the character of the quayside.

Policy KWAC BE2 Kingsbridge Quayside and town square

Proposals for the improvement of the quayside and town square (illustrated in Figure 25) should be in conformity with JLP Policy TTV 10 and respect the development brief included in Appendix B34 and will be supported where they also include:

- A sustainable transport hub for non-fossil fuel modes of transport;
- Enhanced southern slipway providing easier access to the slipway, dinghy storage and water;
- Small scale tourist related employment units in the order of 200m²;
- Space and service connections for temporary(pop-up) food and retail outlets;
- Homes in the order of 60 units addressing local needs;
- Relocation of the public toilets;
- Retention and enhancement of the skateboard park;
- Overall enhancement of the public realm while retaining the existing uses.
- A comprehensive survey of existing heritage assets. Any proposals must avoid harm to these assets and conserve and enhance the historic environment as set out in national and local policy.
- A detailed assessment of the water impacts on the estuarine environment and the Kingsbridge and Salcombe Estuary SSSI through surface water run off during construction and operation.
- Address flood risk as appropriate including Sequential and Exception Tests if required.

The evidence supporting the 2017 Kingsbridge Quayside masterplan included as Appendix B9 should inform the proposals.

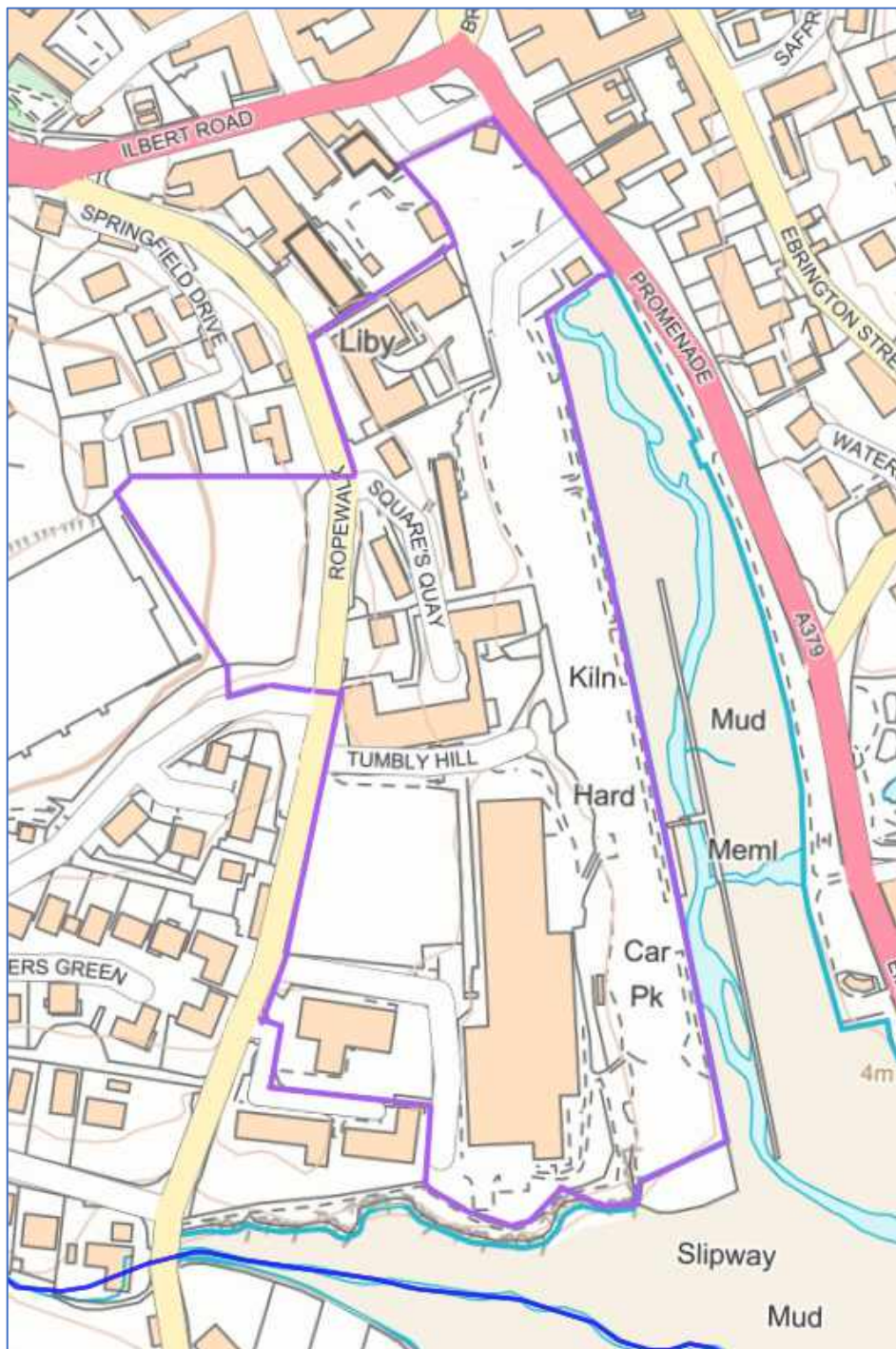


Figure 25 Kingsbridge Quayside and Town Square Area covered by policy KWAC BE2 lined in purple

5.6.4 Past pressure for development and eroding design quality generally has had an adverse impact on **design quality** within the parishes of the plan area and instilled a general lack of confidence of the proposals assessed through the planning system. Any new development in the parishes should be of the highest quality respecting national and local policy guidelines and commensurate with its sensitive natural and historic location. All development should contribute to the overall enhancement, improvement and resilience of the area. This applies to both new buildings and spaces including improved street furniture and surface treatments. All new development and spaces must apply the Crime Prevention through Environmental Design (CPTED) attributes together with the practices and principles of Secured by Design¹⁴.



The sensitive natural and historic setting of Kingsbridge

¹⁴ Secured by Design guidance including the key attributes of CPTED
<https://www.securedbydesign.com/guidance/design-guides>

Policy KWAC BE3 Design Quality

1. Development proposals in the plan area must demonstrate high quality design and will be supported where:
 - a) They are innovative and locally distinctive and respond to and integrate with the local built surroundings, landscape context and setting. A contemporary design solution will be supported providing it respects the context and setting;
 - b) The design of new buildings is in keeping with the site and its setting and respect the scale, character and siting in terms of 'setback' of existing and surrounding buildings. The recommendations of the National Design Guide (January 2021) and the more locally specific requirements for Place Shaping and Heritage (Dev 20-22) of the JLP SPD 2020 are followed.
 - c) High quality materials are used for buildings and hard landscape designs that complement the local and traditional palette of materials found within Kingsbridge, West Alvington and Churchstow.
 - d) Street furniture design respects the style and precedents set by the town, parish councils and Kingsbridge in Bloom.
 - e) It has regard to the requirements of CPTED and 'Secure by Design' to minimise the likelihood and fear of crime and acts of anti-social and unacceptable behaviour and community conflict in the built environment;
 - f) It reduces the dependence on the private car by supporting and connecting directly to other more sustainable modes such as walking, cycling and public transport.
 - g) As outlined in JLP SPD 2020 prominent and strategically important schemes of all scales should be considered at an independent, bespoke Design Review Panel.¹⁵ This is of particular importance where proposals impact on the AONB and heritage assets.
2. The subdivision of existing plots will only be supported where there is no loss in character or environmental quality of the surroundings, there is suitable highway access on at least one boundary, plot and unit sizes are comparable with adjacent properties, adequate amenity space is provided, and the amenity of adjoining properties is not compromised.
3. Proposals should seek to avoid damage to and retain existing trees and hedges in situ. Development proposals will be encouraged to provide no net loss in trees with the aim for more trees on site and achieve biodiversity net gain. Where retention is not feasible, trees and hedges should be replaced with provision elsewhere on site.

¹⁵ JLP SPD 2020 paragraph 6.12

5.6.5 Development should preserve and enhance the conservation areas and make a positive contribution to the significance of **heritage assets** and their setting. All project proposals in the conservation areas and in the vicinity of listed buildings, designated heritage assets and non-designated local heritage assets should reinforce the character of the existing settlements and respect the policy below and JLP Policy DEV 21.

Policy KWAC BE4 Safeguarding Designated and Non-Designated heritage assets within the Plan area and the conservation areas of Kingsbridge and West Alvington

All proposals in the conservation areas and in the vicinity of Designated and Non-Designated Heritage Assets must comply fully with National Planning Policy the Development Plan and associated SPD (2020) relating to the Historic Environment and:-

- a) Give due regard to the asset and demonstrate an awareness of the Devon Historic Coastal and Market Towns survey (DHCMTS) and the Historic Urban Character Areas (HUCA) for Kingsbridge produced by Devon County Council and English Heritage which is included as Appendix B13. Due consideration should be given to the historic character of the area within which a proposal sits.
- b) Where relevant, include design features such as setbacks, stone or render walls and roof details that reflect the character and appearance of the surrounding buildings.
- c) For extensions, new doors, windows and roofing materials should be of a similar appearance to those used in the construction of the exterior of the original building.

Proposals that directly or indirectly affect the significance of Designated Heritage Assets included in Appendices B20 and B21 the Non-Designated Heritage assets and described below and illustrated in Appendix A5 and Figure 26 should be judged according to the scale of any harm or loss and the significance of the asset to the parishes.

Kingsbridge

| | |
|-------|-----------------------------------|
| KLHA1 | Duncombe Villa, Duncombe Street |
| KLHA2 | Bernagh, Duncombe Street |
| KLHA3 | British School, Church Street |
| KLHA4 | Recreation Ground / Saltmill Quay |
| KLHA5 | Lime Kiln Tumbly Hill |
| KLHA6 | Railway Bridge, Plymouth Road |

West Alvington

| | |
|---------|--|
| WALHA1 | Ring O' Bells Public House |
| WALHA2 | Well, Lower Street |
| WALHA3 | Parish boundary marker, West Alvington Hill |
| WALHA4 | Hitching hook, Lower Street |
| WALHA5 | Collapit Bridge |
| WALHA6 | Public footpath sign, Littlecroft, Main Street |
| WALHA7 | Gate piers, Easton Farmhouse |
| WALHA8 | Millstone, Longbrook Farm |
| WALHA9 | Conflict Arborglyphs, West Alvington Wood |
| WALHA10 | Former buttery, Collapit |
| WALHA11 | Former dairy, Main Street. |

Churchstow

- CLHA1 Village water pump, Pump Lane
- CLHA2 Home Farm Cottage and Thatcher's End
- CLHA3 Railway tunnel from Sorley Farm to Coombe Farm
- CLHA4 Telephone box, Churchstow
- CLHA5 Churn stand outside the Post Office Stores
- CLHA6 Church Hall, Pump Lane



Selected Non Designated Heritage Assets or LHAs; refer to Appendix A5 for the full set of LHAs

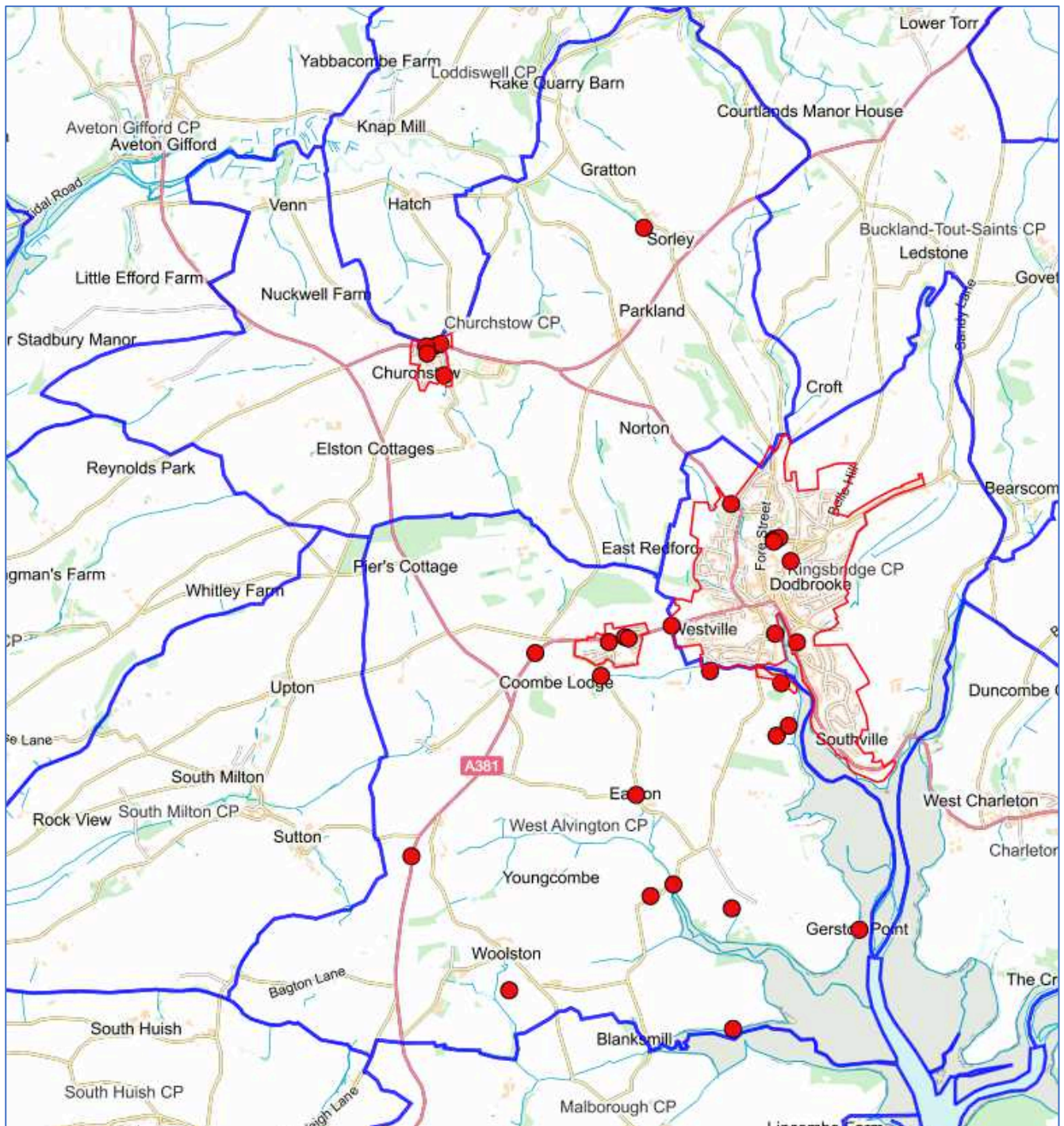
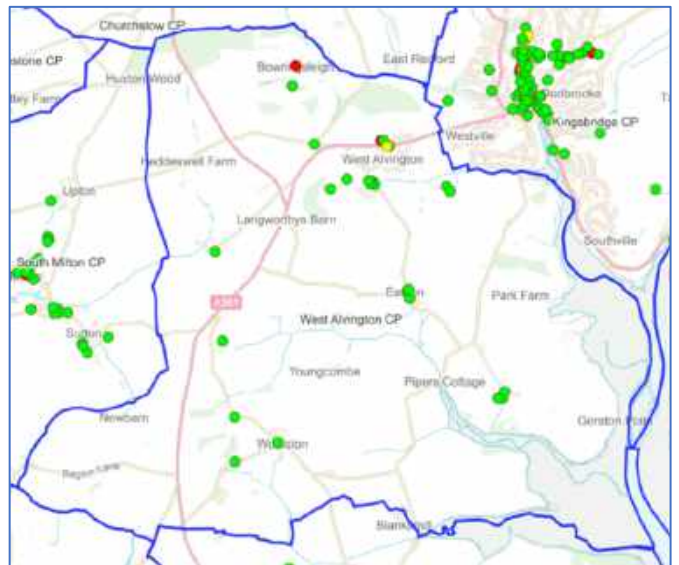
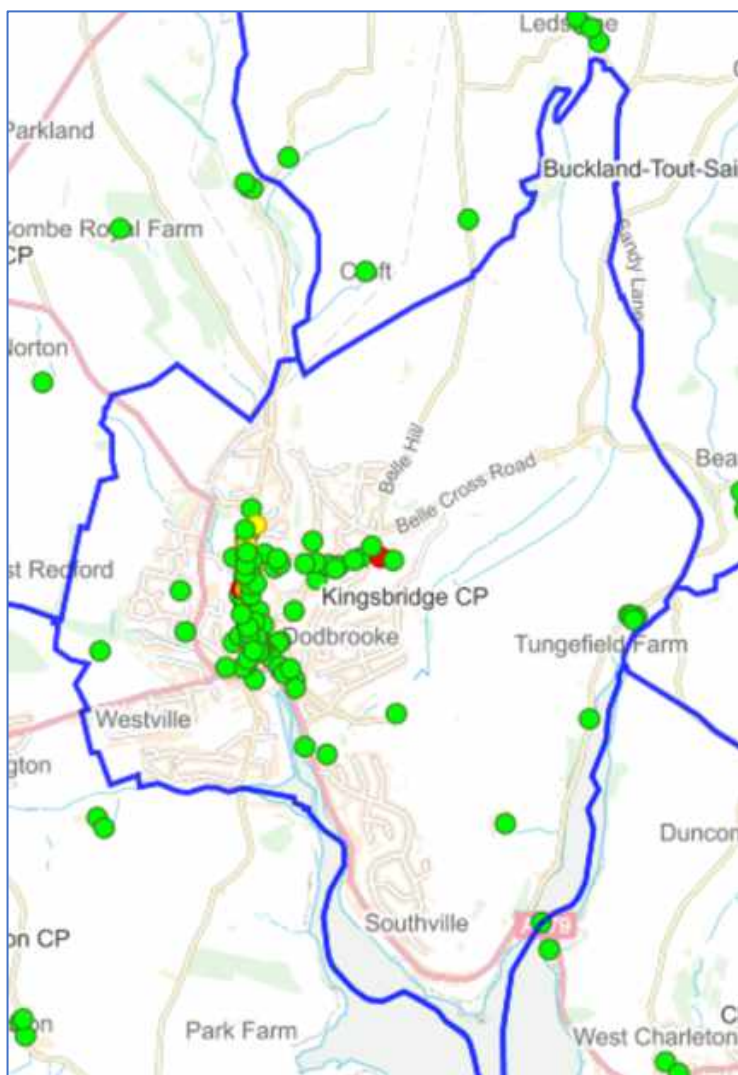


Figure 26 location of Non Designated Local Heritage Assets as red dots, red lines indicate the settlement boundaries and blue lines the Parish boundaries



Listed Buildings West Alvington Parish



Listed Buildings Kingsbridge Parish



Listed buildings Churchstow Parish

Figure 27 Listed Buildings in the Plan area; red, Grade 1, green Grade 2 and yellow Grade 2*

5.7 Theme 5 Sustainable Transport and Infrastructure

5.7.1 Purpose of the theme policies.

5.7.1.1 This plan sets out to reinforce the plan area as a sustainable transport hub, establishing an integrated set of policies covering cars, buses, bicycles, pedestrians and recreational walkers, for residents and visitors. A set of safe routes for walkers and cyclists is proposed that connect the villages to and through the town reducing the dependence on the private car, the promotion of non-fossil fuel modes of transport including electric cycles and cars. Acceptance that private cars are needed over the plan period and that there should be no net loss in parking spaces. Proposing an aspirational policy with respect to buses, traffic calming, virtual footpaths, and speed limits working with key stakeholders.

5.7.1.2 The Plan area is difficult to access by road with poor linkages to strategic routes. This is a major factor influencing the economy, employment and wellbeing of both the plan area and its hinterland. Driving to the three other main or market towns in the area (Dartmouth, Totnes and Ivybridge), and nearest major centres of Torbay or Plymouth is also problematic with extensive journey times (refer to Figure 10), narrow stretches and high levels of congestion especially in peak tourist periods. Ivybridge sits on the nearest major trunk road, the A38. Totnes has the closest station on the main railway line. Goods vehicles add significantly to the congestion and are severely damaging the fragile road surfaces and banks.

5.7.1.3 A particular local feature of these historic roads within the plan area are their winding nature, steep gradients, and lack of a verge. The carriageway is generally bordered immediately by an earth and stone bank or a solid stone wall. This makes damage to vehicles passing common and renders them dangerous for cyclists and pedestrians.

5.7.1.4 The Plan area is difficult to move around if you do not have a private car which is exacerbated by steep gradients, missing footways and limited public transport options. Several roads are narrow and dangerous for cycling, walking, and horse riders alongside reduced disabled access. The Plan household survey reported that local residents want better active travel options including support for local projects such as multi-use paths (walking, cycling and horses). Such paths improve travel options, reduce reliance on motor vehicles and improve public health and therefore accord with National and Local Plan policy. There is strong public interest in improving or creating new active routes that exclude motor traffic.

5.7.1.5 Representations at Regulation 14 from the community and from SHDC supports the inclusion of a broadband policy in the Plan. National (NPPF 2019 para. 20 and 114) and JLP Policy (Dev 15) provides strategic policy context to support the provision of broadband infrastructure on new development proposals within the Plan area. In April 2021 the government announced its intention for at least 85% of UK premises to have access to gigabit-broadband by 2025. Superfast coverage in South Hams is still only at 78% and gigabit available around 20%.

Policies

5.7.2 This Plan proposes improvements in connectivity within and beyond the parishes in the plan area through an improved network of walking and cycling routes. On current footpaths this Plan recommends better connections to existing and future development and improvements such as better drainage and surfacing. The existing footpath network is shown in Figure 28. Proposals for new footpaths and changes to existing public rights of way, new surfaces and structures must follow due legal process and obtain consent of the landowners and the Highways Authority.

Policy KWAC T1 Sustainable Transport routes

New development in the Plan area should where possible link to a safe footpath network that connects the Parishes, and surrounding settlements. Where appropriate opportunities to improve and extend the existing network will be sought as part of any development proposals. Opportunities will be sought to upgrade footpaths to bridleways to allow cycling and horse riding in consultation with landowners. All footpaths should:

- a) Have durable surfacing and effective drainage;
- b) Be easy to navigate with improved waymarking through discreet rural signage;
- c) Be accessible to those with special needs where feasible;
- d) Include improved footbridges, removal of stiles and replacement with accessible gates where required and acceptable to landowners;
- e) Protect wildlife habitats as outlined in the Wildlife Resource Map (Appendix B17) and any future revision.

Kingsbridge, West Alvington and Churchstow Neighbourhood Plan

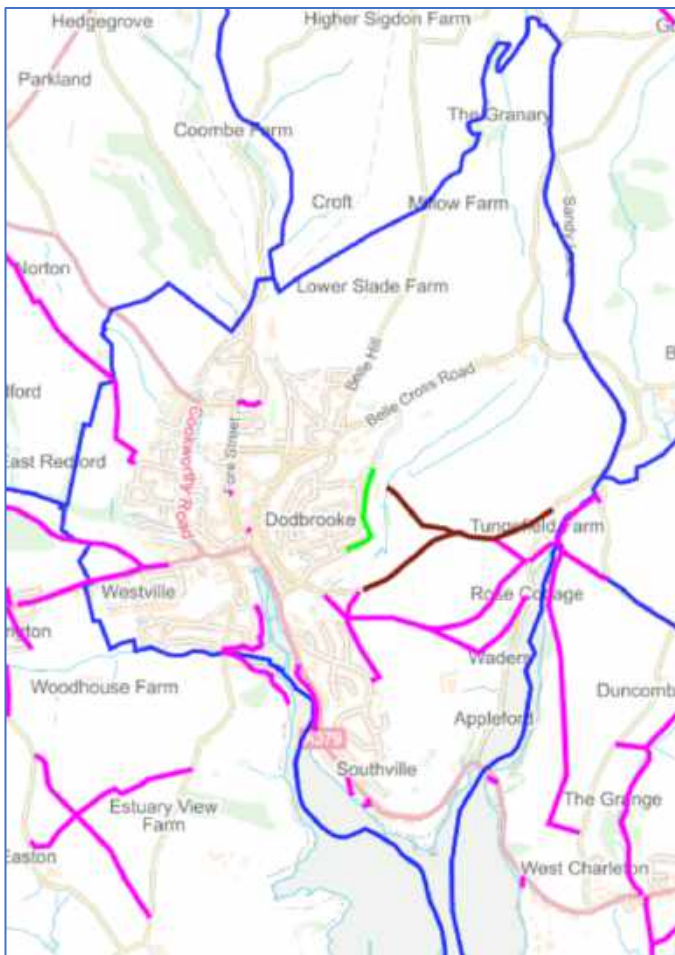


Figure 28a Public Rights of Way Kingsbridge Parish, in pink, brown and green

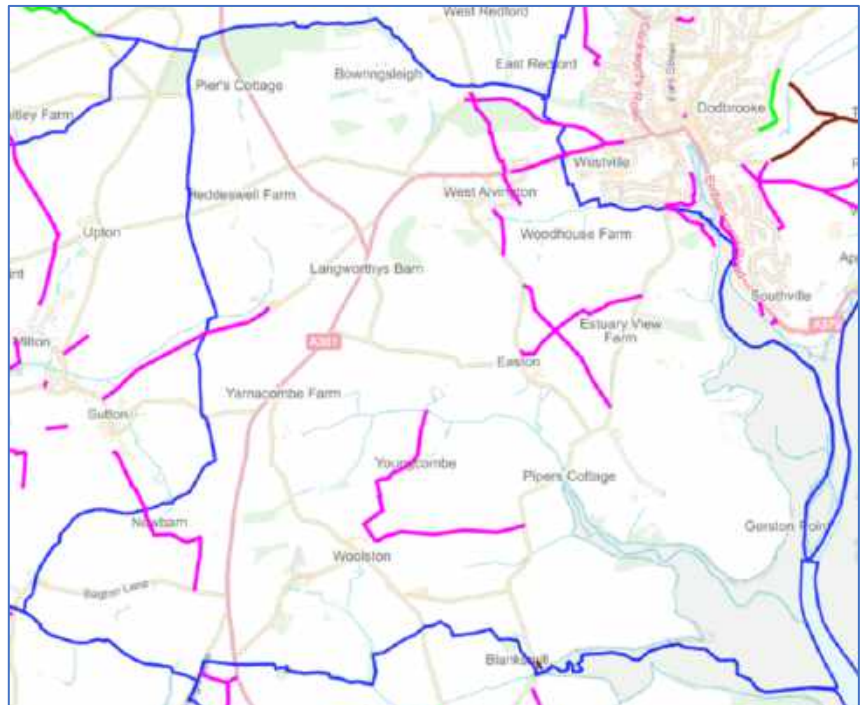


Figure 28b Public Rights of Way, West Alvington Parish in pink



Figure 28c Public Rights of Way in Churchstow Parish shaded pink, parish boundary in blue

5.7.3 National Guidance (NPPF para.105) states that developments should be located and designed where practical to incorporate facilities for charging plug-in and other ultra-low emission vehicles. Car clubs have a vital role to play in reducing society's dependence on the car by giving members access to a car for essential journeys without the need to own one. Sufficient consideration should be given in new developments to car club parking bays. Where provided they should be located as conveniently and as prominently as possible to maximise the marketing potential for local residents and visitors. These should be clearly labelled as car club spaces. It is expected that car club bays shall include electric vehicle charging points.

Policy KWAC T2 Non-fossil fuel vehicle hub

Proposals to reduce the dependence on fossil fuelled modes of transport will be supported. In the short-term electric cars, bicycles and buses should be accommodated however other sources of fuel are envisaged in the longer term. A hub is proposed on the Kingsbridge Quayside car park. Facilities will include, parking/charging bays, spaces for a car club for short term hire, a transfer interchange from bus/bike/car, cyclist shower and changing facilities and an information point.

Electric vehicle charging points will be supported for all off-street car parks including the Cattle Market, Duncombe Street, Fore Street, Lower Union Road, Quayside and Churchstow village car parks.

5.7.4 A major concern expressed in the community surveys is to ensure there are sufficient parking spaces for new development. On-street car parking is already a concern particularly in the villages and parts of Kingsbridge. New development should ensure there is no increase in on-street car parking and meets the parking standards on site of JLP Policy Dev 29 and supporting SPD.

Policy KWAC T3 Car Parking

a) Proposals which generate an increase in on-street car parking will be resisted, unless designed as part of an overall parking strategy within a development.

b) No development will be supported within the Plan area that causes a significant loss in the number of public car parking spaces. If the introduction of new and improved community uses within public car parks requires the relocation of spaces, there should be no reduction in their convenience and proximity to the village centres and town centre.

c) New residential development including sheltered housing must, as a minimum comply with adopted parking standards ensuring there is no increase in on-street car parking. Where achievable the indicative parking standards set out in the JLP SPD (2020)¹⁶ should be met:

| | |
|-----------|--|
| 1 bedroom | 1 space plus 1 space per 3 dwellings for visitors; |
|-----------|--|

¹⁶ JLP SPD (2020) DEV 29.3 Table 30

2 bedrooms 2 spaces;

3 or more bedrooms 3 spaces.

d) New car parking proposals which adversely affect the setting of a development and surrounding landscape features will be discouraged;

e) Provision of car spaces and charging points for electric vehicles and other ultra-low emission vehicles will be supported.

f) To assist in the reduction of on street parking a village car park is proposed in Churchstow (capacity 10 cars). The location of the proposed community car park which is the subject of a Section 106 agreement on the development of Reeves Way is illustrated in Figure 30.



Figure 30 proposed community car park and Village Hall in Churchstow

5.7.5 A key transport and traffic objective of the Plan is to address the control of traffic volumes through West Alvington, Churchstow, the edge of Kingsbridge and improve road safety on the A381 and A379 for pedestrians and cyclists.

5.7.6 The Primrose Trail

For 4 years, the communities of Kingsbridge, South Brent and many of those in between have been considering the feasibility of a multi-use non motor vehicular trail from Kingsbridge to South Brent along the course of the former Primrose Railway Line. The route has not been finalised yet and discussions are ongoing with stakeholders. The objective is to reopen sections of the line for a low key, but flat and accessible route between the sea and moor. Kingsbridge in particular has very few public open spaces of significant area and virtually no safe, flat walking routes into the surrounding countryside. Bridleways are rare and cycling is tortuous and dangerous due to the limitations of local roads. If successful, the Primrose Trail would be delivered in phases as and when landowner agreement is secured. Where landowners decide not to support the line alternative routes will be designed. It is hoped that the Primrose Trail will be the hub route for other trails out of Kingsbridge and other locations along the line. Some sections of the line are already public footpaths and although planning permission may not be required Public Path Orders will be needed to upgrade these to multi-use. Other sections will require planning permission as well as safety improvements around the public highway interfaces. Other infrastructure and landscape tree planting are envisaged. Disused railway lines offer huge potential for re-use as future walking, cycling or public transport routes. As such their continuity should where possible be protected from development which may impact on the future provision of such a route. The Primrose Trail aspires to be highly sustainable bringing economic growth, social well-being and environmental benefits to the communities of Kingsbridge, and West Alvington as well as those from further afield. Further details of the proposed trail can be found at <https://primrosetrail.org>

5.7.7 A transport aspiration for the plan area

It is an aspiration of the community that sustainable solutions are found to reduce the dependence on the private car and improve the coordination and management of transport through the villages and town. Such measures should be agreed by the Parish and Town Councils working in partnership with South Hams District Council, Devon County Council Highways team and Highways England. The scope should cover:

- a) Consider additional bus services and review their frequency and routing to best serve the parishes during the summer and winter and investigating the means to fund these services;
- b) Better coordination of timetabling between bus to rail travel at Totnes;
- c) Promotion of more community bus services particularly for young people;
- d) Measures to reduce personal car use e.g. for school runs and consider the introduction of walking buses;
- e) Initiatives to promote car sharing, a car club and the introduction of car and cycle charging points throughout the plan area;
- f) Additional restrictions on heavy goods vehicles accessing the town and villages through narrow lanes (with maximum width and weight restrictions)
- g) Future safe pedestrian and cycle connections once suitable routes are agreed with landowners include but are not limited to; -
 - Churchstow to Kingsbridge;
 - West Alvington to Kingsbridge;
 - Kingsbridge to Salcombe;
 - Kingsbridge to Bowcombe Creek
 - Malborough to West Alvington;
 - Thurlestone to West Alvington
 - Kingsbridge to Belle Hill playing fields
 - Safe pedestrian crossings of the A381 and A379 within the villages that connect to bus stops;
 - Off road cycle ways and footpaths including a Salcombe to Kingsbridge multi-use trail and the proposed Primrose Trail and better links to the South West Coast Path.
- h) Sustainable solutions to calm traffic through the villages and the town. Measures supported include:
 - Reduction of road speeds through West Alvington and Churchstow;
 - The introduction of pedestrian crossings in West Alvington, Churchstow and additional crossings in Kingsbridge (Cookworthy Road, Northville Park, Stentiford Hill) and South Hams Hospital);
 - Measures to discourage Pump Lane, Churchstow being used as a 'rat run';
 - Safer pedestrian access at narrow points in the villages and Kingsbridge to Bowcombe/New Bridge.

5.7.8 Broadband

Broadband coverage in the South Hams is falling behind the UK, out of 650 UK parliamentary constituencies, Totnes is ranked 608th for superfast coverage. Within South Hams superfast availability is 78%, compared to a UK average of 95%. In addition, gigabit availability is 18%, compared to the UK average of 36%. This is all exacerbated in large parts of the Plan area which also have poor mobile coverage, leaving some communities completely disconnected from vital online services. The combination of the National and Local Planning context provides adequate justification and evidence for the following policy. To address the rural digital connectivity gap new development will be expected to provide the required industry standard infrastructure to allow for the installation and maintenance of full fibre optic broadband. With broadband technology constantly improving and the continued goals of increasing speed, there is also a requirement to allow for the upgrade of current broadband with minimal disruption to customers.

KWAC Inf 1 Broadband Infrastructure

This Plan supports the provision of on site infrastructure for the installation of, and allow the future upgrade and maintenance of, fibre optic broadband technology.

- a) Developers are encouraged to submit a connectivity statement to set out the proposed broadband provision.
- b) New residential and non-residential development should, wherever possible include appropriate open access gigabit capable fibre optic infrastructure to enable high speed and reliable broadband connection in accordance with national and local objectives to increase coverage.
- c) The creation of a building to act as a fibre hub to enable fibre connections within the area will be supported.

5.8 Theme 6 Health and Wellbeing

5.8.1 Purpose of the theme policies

The Plan sets out to improve physical, spiritual and mental wellbeing for all members of the community. The provision of new and improved built and open-air community facilities serving the whole area should include but not limited to the provision of a community hall in Kingsbridge, which may involve the re-purposing of St Edmunds Church, Kingsbridge, more facilities for young people throughout the plan area including a new skate park, and additional recreational walking routes.

5.8.2 This plan supports the work of **South Hams Area Wellbeing** or **SHAW** a not-for-profit local organisation that aims to help enable and educate local individuals to be resilient in their own wellbeing.

'It is all about compassionate communities connecting local people of all generations with each other and with organisations, practitioners and agencies that can support and facilitate resilience with the main aim of improving lifestyle, knowledge, happiness and health'

SHAW website 2019

5.8.3 South Hams Hospital including the Minor Injuries Unit is a lynchpin of the local community to help sustain the town's social sustainability as well as providing essential health and social care services to the infirm and other vulnerable people. Kingsbridge hospital has been transformed as a result of CV19. The current situation is that the number of inpatient beds has been increased 3-fold (from 11 to around 30) to prepare for additional patients. Due to space constraints many outpatient services have been curtailed. Additional land has been acquired by the League of Friends for car parking and additional facilities. This land is also safeguarded and included in figure 31 and should be considered within the scope of this policy.

Policies

5.8.4 Land or water based recreation makes an important contribution to quality of life of the local community of all ages. At present the parishes benefit from a number of indoor and outdoor amenity spaces and facilities that bring people together for sporting, recreational, social and leisure and spiritual wellbeing.

KWAC HW1 Community facilities

The following community facilities have been identified as important to the vitality, health and wellbeing of the community:

- a) Kingsbridge Hospital
- b) Norton Brook Medical Centre
- c) Kingsbridge Library
- d) Kingsbridge Leisure Centre
- e) Quay House
- f) The bandstand
- g) Tourist Information Centre
- h) Public toilets
- i) Harbour House
- j) Cookworthy Museum
- k) Tresillian
- l) The churches of the town (St. Edmunds, St. Thomas a Becket, Dodbrooke, Methodist Church, Evangelical Church, Family Church, Sacred Heart)
- m) All Saints Church, West Alvington
- n) Saint Mary the Virgin Church, Churchstow
- o) Kingsbridge Town Hall/ Cinema
- p) Market Hall
- q) Memorial Shelter, Embankment Gardens
- r) Post Office, Fore Street
- s) Banks (Lloyds and HSBC)
- t) Scout Hut
- u) West Alvington village hall and car park
- v) Churchstow Church Hall
- w) Churchstow village shop and Post Office

Where planning permission is required, proposals for a change of use that would result in the loss of existing community facilities or that would result in any harm to their community function, character, setting, accessibility, appearance, general quality, and amenity value will only be supported if they are replaced by community facilities of equal or higher quality, economic viability and value to the community or it can be demonstrated they are no longer needed and/or viable.

Where the loss of a community facility is justified as no longer viable the applicant must demonstrate through an independent assessment that the vacant facility has been actively marketed and offered at a reasonable sale price (comparable with valuations achieved elsewhere in the District) for a minimum period of 1 year.

The area illustrated in Figure 31 encompassing Kingsbridge Hospital and Norton Brook Medical Centre should be safeguarded solely for health and wellbeing related uses.



Figure 31 Area safeguarded (outlined in black) solely for health and wellbeing related uses.

5.8.5 Open Space, Sports and Recreation (OSSR) facilities proposed within the parish should be in accordance with the priorities and projects identified in the latest OSSR Plan for Kingsbridge and West Alvington and the emerging plan for Churchstow. Facilities identified include:

- Improved football pitches, changing facilities and access at Belle Hill and West Alvington;
- An all-weather rugby pitch at High House;
- Improved skate park facilities;
- Improved all weather multi-use pitch at Kingsbridge Community College (KCC)
- Improved play areas and infrastructure at Duncombe Park;
- Improved play areas and infrastructure at the Recreation Ground;
- A new community hub at the Recreation Ground;
- New waterside footpath from Kingsbridge to New Bridge;
- New coast to moor cycle path from Kingsbridge to South Brent;
- New off road multi-use trail from Kingsbridge to Salcombe;
- Improved cricket ground at West Alvington;
- Improved access to Kingsbridge Leisure Centre;
- Improvements to Kingsbridge community garden;
- Improved public slipways;
- Public realm improvements to Kingsbridge Fore Street, Town Square , Embankment Gardens and Quayside civic space and gardens;
- Improvements to the Memorial Shelter, Embankment Road;
- Improved facilities at Trebble Park play area;
- A BMX/dirt bike track at Rack Park amenity space;
- Improved facilities at Bowcombe Creek amenity space;
- Improved paddle boarding, canoeing and related waterborne facilities at the head of the estuary;
- A new cemetery for Kingsbridge;
- A new community hall for Kingsbridge;
- A new village hall for West Alvington, associated fittings and equipment;
- A new village hall, carpark, play area and green space for Churchstow;
- Adult trim trail at West Alvington
- Play area West Alvington playing fields
- School allotment and community garden in the former West Alvington play area.

KWAC HW2 Open Space

New residential development will where practicable be expected to deliver any new community facilities including Open Space Sports and Recreation (OSSR) onsite. On smaller sites or where this is not practicable a planning obligation will be sought to mitigate the impact of new residents through new and improved provision in an appropriate location in coordination with the South Hams (OSSR) Study 2017 - Quantity, Quality and Accessibility Standards and the South West Devon Joint Local Plan Developer Contributions Evidence Base. Any contribution should be directed towards the projects and priorities set out in the latest Kingsbridge and West Alvington OSSR Plans and emerging plan for Churchstow in liaison with the Local Planning

Authority and respective Parish Councils, to confirm which of the listed projects are the priority at that time.

Proposals that involve the use of land in the countryside to facilitate and enhance informal recreational activities and access related to the enjoyment and interpretation of the countryside will be supported where they would not have an adverse effect on the countryside, historic environment, and other land uses in the vicinity and would conserve and enhance the natural beauty of the AONB. Any proposals that improve access to existing public rights of way will be supported.

5.8.6 The need for a multi-use community centre in Kingsbridge is not new. At a community conference in 2001 such a centre was the highest priority for the town and broader catchment area. The 2004 Community Action Plan (Appendix B28) as part of the Market and Coastal Towns Initiative (MCTI) developed the concept aided by a feasibility study by Hannah Reynolds Associates (June 2003) The feasibility was further advanced by the preparation of a Business Plan (Defacto May 2009) and an architectural design funded by the South Devon Coastal Local Action Group in 2009. Various sites have been considered but all have centred around the quayside. The proposed sites for the centre now under consideration are an extension to the current Quayside Leisure Centre or the re-purposing of St Edmunds Church. These are illustrated in Figure 30.

5.8.7 The community survey informing this plan re-confirmed the need for such a building as a social hub for the community. The Health, Wellbeing and Leisure focus group concluded in April 2019 that the facility should include:

- An auditorium for a performance space (music/ dance/ amateur dramatics), rehearsal rooms. On similar lines to the Flavel Centre in Dartmouth, the Watermark Centre (Ivybridge) and Malborough Village Hall with seat capacity of 200, 210 and 250 respectively.
- A safe space for groups to meet, for young people to use, a venue for a youth club, rooms for the community to hire, with adequate storage for equipment.
- A community café.
- Sports facilities to complement those of the leisure centre including badminton, and basketball.

5.8.8 St. Edmunds Church

St. Edmunds Church is the most prominent landmark of Kingsbridge. *The church also conveys aspects of the character of the medieval town and of the interplay between parochial and market status.*¹⁷ Like many parish churches congregation numbers are dropping and during the production of this plan discussions have been held to explore options to secure the church's sustainable future in the best interests of the church and community. This plan supports the use of the church as a community centre within the constraint imposed by a Grade 1 listed building. Prior to bringing a proposal forward all the historic assets of St. Edmunds Church and its surroundings must be fully understood and applied in the exploration of this site in accordance with national and

¹⁷ Kingsbridge Devon Historic and Market Town's Survey 2016 (Appendix B13)

local planning policy for the historic environment. The following statement has been prepared by the Rector and agreed by the Archdeacon and members of the Parochial Church Council.

St Edmund's Church

For over 600 years, St Edmund's Church has been at the very heart of Kingsbridge life, not just as a church and vital community building, but also as a key historic landmark and architectural feature in the town centre. It is of great importance for the town and broader community for its cultural, community and heritage value.

The church is a Grade 1 Listed Building and the best way to ensure its continued future as a heritage asset is to keep it open to the public and to explore with the community the potential for a wider range of uses.

Although the number of people participating in church services has been declining for some years, the Parochial Church Council is unanimous in their desire to see the church continuing as a worshipping community, offering public worship.

St Edmund's PCC and the Diocese of Exeter are very keen to engage with the community to consider the scope for other uses of the building as an asset to the community which will be explored in an emerging brief. The preparation of the Kingsbridge Neighbourhood Plan appears to present an excellent opportunity to achieve this potential for dual usage of this iconic heritage community asset. Any additional uses would need to be complementary to church uses and a flexible approach would clearly be helpful.

The church offers the largest space in the town for services, events, or meetings, but is only used a few times a year to its full capacity. There is therefore scope for this space to be used more frequently for other community events, affording the potential for a large community space.

There may be a need for some alterations to be made to the church to accommodate other users or events, including alterations to improve access for all members of the community. These would need to be considered in the context of the church being a Grade 1 Listed Building, as well as the necessary Diocesan regulations for any change of use.

*The Revd. Prebendary Jacqueline Taylor
Rector – The Kingsbridge Estuary Churches Mission Community*

KWAC HW3 A community centre for Kingsbridge

The Plan supports the development of a new community centre for the town. The development to be located within the town shall serve the whole plan area and surrounding parishes. The accommodation shall or in part include, subject to capacity and heritage constraints the following; -

- Multi-purpose hall for theatre, music performance, sports activities and meetings;
- Meeting rooms;

- Small business hub;
- Ancillary/ support facilities;
- Provision for all those with special needs.



St. Edmund's Church lined in red

FOR INFORMATION PURPOSES ONLY



Kingsbridge Quayside Leisure Centre Lined in red

FOR INFORMATION PURPOSES ONLY

Figure 32 Proposed locations for the Kingsbridge Community Centre

FOR INFORMATION PURPOSES ONLY

6. A sustainable plan area and delivery plan

6.1 Sustainable Development

6.1.1 One of the fundamental factors underlying this Plan is that it contributes to making the Parishes of the plan area more sustainable. This Plan respects the Government's approach to sustainable development as set out in the National Planning Policy Framework. A clear definition of sustainable development provided by Locality¹⁸ is:

'Enabling growth to cater for the needs of current generations but ensuring that growth doesn't mean worse lives for future generations'

6.1.2 Some of the features of this Plan that make the Parishes more sustainable are:

- A high level of community engagement;
- Mixed transport options encouraging use of public transport, walking and cycling;
- More local employment opportunities;
- Improved community facilities to promote health and wellbeing;
- Promotion of high quality design;
- New housing that responds to local needs and all ages;
- Protection and enhancement of the AONB, wildlife areas and measures to support biodiversity net gain;
- Conserving historic buildings and environments;
- Recognising the importance of landscape and open space, protection of historic landscape features.

6.2 Delivery

6.2.1 The Neighbourhood Plan Group set up by the parish councils to develop, champion and engage the community on the Neighbourhood Plan will in due course either transfer the responsibilities for delivering the Plan back to the parish councils or a new community-led body should be formed capable of co-ordinating, stimulating and supporting project initiatives identified by the Plan.

6.2.2 Some projects will simply be brought forward by private individuals and independent organisations wishing to invest in site(s) and policies. However, many aspects of the Plan will be driven by public and community investment. Funding bids may have to be prepared and submitted and resources allocated. Some land and/or assets may also need to be transferred into community ownership.

6.2.3 For the Plan to be successful the parish councils will need to take a strategic role as owners of the Plan and keeping the 'whole picture' across the Plan area. Some

¹⁸ Locality Neighbourhood Plans Road Map Guide

aspects of the Plan will need to be explored in greater depth with a focussed group of participants that may have particular interests, covering each theme:

- The natural environment
- Affordable housing
- Business, town centre regeneration and the economy
- The built environment
- Health, wellbeing and leisure
- Sustainable transport

6.2.4 The above groups will be provided with simple reporting and governance/terms of reference in order to ensure proper co-ordination. It is recommended that a member of the parish councils might chair each group. In order to be effective, these groups will have the liberty to co-opt individuals such as representatives of key external agencies. It is very important that such inclusion within the governance, decision-making or delivery structures of these initiatives does not mean that community representation is relegated to a minority stake.

6.2.5 Delivery groups for housing and business will be critical to the success of the plan. In parallel with the neighbourhood planning process the community are investigating the potential scope, constitution and operation of a Community Land Trust (CLT) for the plan area as one of the delivery mechanisms for parts of the Plan. A CLT is a not for profit body that develops and stewards affordable housing, employment space, and other community assets on behalf of a community. The concept balances the needs of individuals to access land and maintain security of tenure with a community's need to maintain long term affordability, economic diversity and local access to essential services. CLTs are usually formed to deliver community-led housing, set up and run by members of a community to develop and manage these homes. However, they can also manage other assets important to the community, like employment spaces. There are now over 260 Community Land Trusts ¹⁹in England and Wales. The largest Community Land Trusts have over 1000 members each. Community Land Trusts have developed over 900 permanently affordable homes to date and are in the process of developing a further 16,000 homes.

¹⁹ Community Land Trust Network <http://www.communitylandtrusts.org.uk>

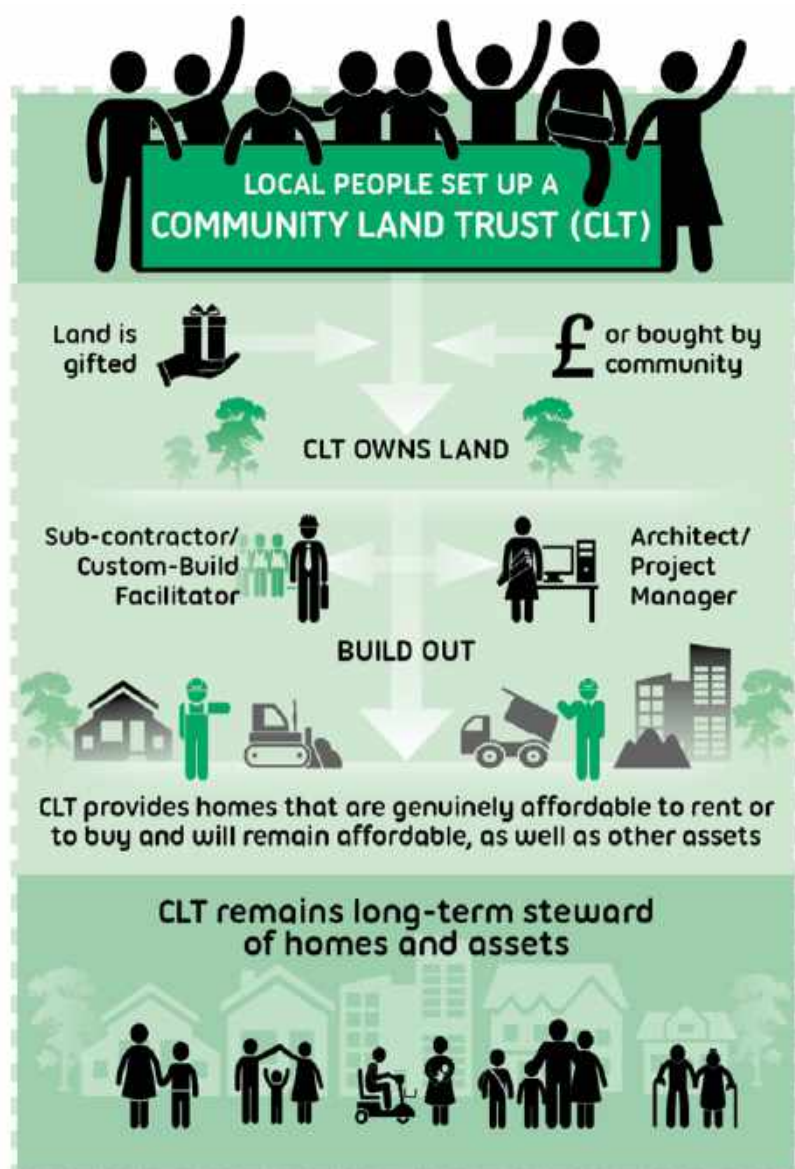


Figure 33 How a Community Land Trust works.

6.2.6 One particular area emerging from the economic strategy research to the Plan (by JOHT November 2020 as Appendix A6) that would merit particular monitoring attention is that of town centre uses and how these change over time. The retail and leisure study evidence base report (Appendix B11) for the JLP in 2016 sets out the position of uses at that time. This could valuably be annually updated locally, to see whether the balance of use is maintained or changing. Keeping records of temporary uses and their benefits for users would also be very valuable, to help in planning for uses longer term and potentially more permanently.

6.2.7 This Neighbourhood Plan has been developed to plan sustainable growth in Kingsbridge, West Alvington and Churchstow for the period of up to 2034. A formal review process will be undertaken by the parish councils either jointly or separately in consultation with the community and Local Planning Authority every five years. This is

to ensure the Plan is still current and remains a positive planning tool to deliver sustainable growth in the parishes. In addition, the delivery of the theme groups referred to above shall be monitored annually by the parish councils and a progress report posted on the Council's website.

7. What happens next?

7.1 This is the final version of the document; it has been prepared for the Referendum Stage of the Neighbourhood Planning process following a successful examination.

7.2 The Plan and supporting evidence shall be published by SHDC on <https://www.neighbourhoodplanning.swdevon.gov.uk> and will also be available on the Kingsbridge, West Alvington and Churchstow Neighbourhood Plan website page <https://kingsbridge.gov.uk/neighbourhood-plan/>

8.0 List of acronyms and glossary

| | |
|------------------|---|
| CLT | Community Land Trust |
| CWS | County Wildlife Sites |
| CPtED | Crime Prevention through Environmental Design |
| DEFRA | Department for Environment, Food and Rural Affairs |
| DCC | Devon County Council |
| DHCMTS | Devon Historic Coastal Market Town Survey |
| DUC | Devon's Undeveloped Coast |
| EA | the Environment Agency |
| GI | Green Infrastructure |
| HE | Highways England |
| HotSW LEP | Heart of the South West Local Economic Partnership |
| HUCA | Historic Urban Character Area |
| IMD | Indices of Multiple Deprivation |
| IRZ | Impact Risk Zones |
| JLP | the Development Plan or Joint Local Plan for South Hams, Plymouth and West Devon Councils |
| KCC | Kingsbridge Community College |
| KWAC | Kingsbridge, West Alvington and Churchstow (the plan area) |
| LGS | Local Green Space |
| MCTI | Market and Coastal Town Initiative |
| NE | Natural England |
| NPG | the Neighbourhood Plan Group for Kingsbridge, West Alvington and Churchstow |
| NPPF | the National Planning Policy Framework |
| ONS | Office of National Statistics |
| OS | Ordnance Survey |
| OSSR | Open Spaces, Sports and Recreation Plan |
| PPS | Planning Policy Statement |
| SAC | Special Area of Conservation |
| SEP | Strategic Economic Plan |
| SHDC | South Hams District Council |
| SSSI | Sites of Special Scientific Interest |
| SuDS | Sustainable Urban Drainage System |
| SWOT | Strengths, Weaknesses, Opportunities and Threats |
| TTV | Thriving Towns and Villages |
| NP | Neighbourhood Plan |
| MW | Megawatt |
| SW | South West |

Appendices and supporting evidence base.

| Ref. | Description | Weblink |
|-------------|---|---|
| A1 | Basic Conditions Statement | https://kingsbridge.gov.uk/neighbourhood-plan-reference-library/ |
| A2 | Consultation Statement | |
| A3 | Local Green Spaces | |
| A4 | Locally Important Views | |
| A5 | Local (non-designated) Heritage Assets | |
| A6 | Economic Strategy Research Report JOHT (2020) | |
| A7 | Evidence to support Housing policies | |
| A8 | Housing Needs Survey AECOM 2021 | |
| A9 | Habitat Regulations and Strategic Environmental Assessment Screening Report SHDC | |
| B1 | Green Corridors | |
| B2 | South Devon AONB Management Plan (2019-2024) | |
| B3 | South Hams Green Infrastructure Framework (April 2015) | |
| B4 | The Landscape Character of the South Hams (June 2018) | |
| B5 | The Landscape Character Assessment of the South Hams and West Devon (LUC Feb. 2017) | |
| B6 | Towards a Sustainable Kingsbridge (June 2011) | |
| B7 | Kingsbridge and Salcombe MCTI 'Action 2020' Report (Dec 2003) | |
| B8 | South Hams Local Plan 1989 to 2001 (Kingsbridge Section) | |
| B9 | Kingsbridge Quayside Masterplan Report (Oct 2017) | |
| B10 | UK Census Data 2011 for the KWAC area. | |
| B11 | South Hams and West Devon Retail and Leisure Study PBA Feb 2017 | |
| B12 | Settlement Boundaries in the Plan Area | |
| B13 | Devon Historic Coastal and Market Towns Survey Kingsbridge June 2016 | |
| B14 | Brownfield Sites within Kingsbridge (For Information only) | |
| B15 | Parish Boundaries in the Plan area | |
| B16 | Devon JSNA Community Profile 2017 | |
| B17 | DBRC Wildlife Resource Maps and reports for the Plan area (Oct 2019) | https://kingsbridge.gov.uk/neighbourhood-plan-reference-library/ |
| B18 | South Hams Key Housing Statistics (2020) | |

Kingsbridge, West Alvington and Churchstow Neighbourhood Plan

| | |
|-----|--|
| B19 | Environment Agency Flood Map for the Plan area |
| B20 | Devon CC Historic Environment Record on Events and Activities for the Plan area (Nov 2020) |
| B21 | Devon CC Historic Environment Monument Record for the Plan area (Nov 2020) |
| B22 | Mapping of Listed Buildings in the Plan area |
| B23 | Mapping of designated housing sites within the JLP |
| B24 | Mapping of allocated and consented housing development in Kingsbridge |
| B25 | a) Kingsbridge Open Space, Sports and Recreation Plan (OSSR) 2018 to 2028 (Feb 2019) b) West Alvington OSSR Plan 2021 |
| B26 | South Hams and West Devon Housing Strategy 2021-26 Workshop Planning Briefing (Sept. 2020) |
| B27 | South Hams and West Devon Housing Strategy 2021-26 Workshop Stakeholder Session Briefing (Sept. 2020) |
| B28 | Kingsbridge Feasibility Study Action Plan (Feb 2004) Sandover Associates |
| B29 | Kingsbridge Feasibility Study Baseline Review (August 2003) Sandover Associates |
| B30 | Kingsbridge Feasibility Study Community Presentation Baseline Review (August 2004) Sandover Associates |
| B31 | South Hams and West Devon Housing Strategy 2021to 2026 |
| B32 | Kingsbridge Primary Shopping Area Development Brief |
| B33 | Lower Union Road and Western Backway Development Brief (For Information Only) |
| B34 | Kingsbridge Quayside and Town Square Development Brief |
| B35 | Union Road Mixed Use Development Study Roger Tym 2007 |
| B36 | Kingsbridge brownfield site assessment (For Information Only) |
| B37 | Biodiversity Network Creating Process 2017 SHDC |
| B38 | Extra Care Housing Report DCC |
| B39 | West Alvington Traffic and Highways Appraisal updated 2021 |
| B40 | Kingsbridge Critical Drainage Area (EA 2015) |
| B41 | Second and Holiday Homes Technical Paper, Northumberland County Council July 2018 |

**MINUTES OF THE MEETING OF
THE SALCOMBE HARBOUR BOARD
HELD AT CLIFF HOUSE, SALCOMBE, ON MONDAY, 13 JUNE, 2022**

| Members in attendance | | | |
|------------------------------|--------------------------|-------------------------------|-----------------|
| * Denotes attendance | | ∅ Denotes apology for absence | |
| * | Cllr J Brazil (Chairman) | * | Mr P Brown |
| * | Cllr D Brown | * | Ms A Jones |
| * | Cllr R J Foss | * | Mr A Owens |
| * | Cllr M Long | * | Mr C Plant |
| | | * | Mr I Shipperley |
| | | * | Mr I Stewart |

Other Members in attendance and participating:
Cllr H Bastone

| Item No | Minute Ref No below refers | Officers in attendance and participating |
|------------------|----------------------------|--|
| All agenda items | | Salcombe Harbour Master; Monitoring Officer (via Teams); Head of Finance; Deputy Harbour Masters; Estuaries Officer; Independent Person; and Democratic Services Officer |

SH.01/22 APOLOGIES FOR ABSENCE AND WELCOMES

There were no apologies for absence.

The Chairman then welcomed Mr Paul Brown to his first Board meeting following his co-option to the Salcombe Harbour Board, which commenced on 1st May 2022. The Chairman also welcomed the Independent Person, Mr Andrew Lloyd to this Board meeting.

SH.02/22 MINUTES

The minutes of the meeting of the Salcombe Harbour Board, held on 24 January 2022, and the minutes of the Special Meeting of the Board, held on 25 April 2022, were both confirmed as true and correct records.

SH.03/22 URGENT BUSINESS

There were no items of urgent business raised at this meeting.

SH.04/22 BOARD MEMBERSHIP

A review of the Co-opted Members' terms of office was given, with re-appointments voted upon, with the result as below:

- Mr P Brown appointed 2022 until 2025 on his first term of office
- Ms A Jones re-appointed until 2023 (second term)
- Mr A Owens appointed 2021 until 2024 on his first term of office
- Mr C Plant re-appointed until 2025 (second term)
- Mr I Shipperley appointed 2021 until 2024 on his first term of office
- Mr I Stewart re-appointed until 2024 (second term)

There then followed the appointment of Vice Chairman, with Ian Stewart being nominated, seconded, and at the resultant vote, confirmed as Vice Chairman for the remainder of the 2022/23 Municipal Year.

SH.05/22 CODE OF CONDUCT DISPENSATIONS

All Co-opted Members completed the Code of Conduct Dispensation papers which would run for the fiscal year to April 2023.

SH.06/22 DECLARATIONS OF INTEREST

Members were invited to declare any interests in the items of business to be considered during the course of the meeting, and the following were made:

Mr I Stewart, Mr A Owens and Ms A Jones declared a disclosable pecuniary interest in all related agenda items by virtue of paying harbour duties. As a result of the Deputy Monitoring Officer having granted each Board Member a dispensation, they were able to take part in the debate and vote on any related matters (Minute SH.05/22 above refers).

SH.07/22 PUBLIC QUESTION TIME

In accordance with the Public Question Time Procedure Rules, the following was raised at the meeting.

Mr R Massey, of Chillington, spoke regarding the Kingsbridge pontoon and the increase in rates. Mr Massey stated that any price increase should be reasonable, justifiable with adequate notice given. It was Mr Massey's opinion that there had been no notice given of the price rise this year, the raise was not justifiable, and the 34% increase in his fees had not been reasonable.

Mr Massey relayed that the Harbour Office had said that price parity was required across the Estuary, but he felt that the cost should be dictated by market forces. Mr Massey then related the difference in provisions between the various pontoons, e.g. fresh water provided at Batson Creek whereas Kingsbridge had buckets, and there was no CCTV coverage at Kingsbridge.

In response, the Harbour Master outlined that the 34% increase on the total bill was comprised of an increase across the board, including for motored vessels. The Harbour was run as a not-for-profit organisation, run for everyone, no matter where they were berthed. Part of the increases were to ensure pontoon berth prices throughout the Harbour were aligned.

There was a 26% increase on the pontoon, with the increase having been held off for two years due to the Covid pandemic. The berths there were for 12 months, which meant no additional winter berthing charges, and included maintenance, dredging and fingers. It was confirmed that CCTV was in operation in Kingsbridge, with additional security patrols.

Fendering had been introduced on day one, and was a one stop shop, which could not be redone each year. It had been broken due to misuse and involved a 30% increase each year to cover repairs. This could be removed and replaced with chains, which would give increased life and be less expensive, but it would mean boats banging against each other with increased risk of damage.

Whilst the Harbour Master could understand the feelings expressed by Mr Massey, there had been engagement with customers, primarily through the Kingsbridge Estuary Boat Club, and the Harbour was not able to consult each individual for their view.

The Chair stated that the Board would be reviewing mooring charges at its September Meeting and the views expressed would form part of the discussions.

Following a question from a Board Member, it was confirmed that pricing parity across the Harbour had been achieved. Another Board Member stated that he thought each stage of the process of the pricing review had been looked at in full, with a view to making things equitable for all. This process had had negative impact on some, but had resulted in a fairer system, through the professional and impartial actions of the Harbour Authority staff.

SH.08/22 **FEEDBACK FROM HARBOUR COMMUNITY FORUMS**

The Board received verbal update reports from those Members who attended the Harbour Community Forums. The updates were given as follows:

Salcombe Kingsbridge Estuary Conservation Forum (SKECF)

As the Board Member had been unable to attend, the Estuaries Officer gave the following update:

- The Estuary Management Plan would be published soon which would allow all to see the impact of the different projects.
- Membership of FiPL (Farming in Protected Landscapes) had increased.
- The recently departed Vice Chair had wanted silt levels looked at and a review regarding the addition of silt traps. The Officer had spoken to Kingsbridge Town Council, and this would be looked at. The Officer would speak to the Board Member representative and then bring to a future Board meeting.
- Three Harbour Guides had been updated.
- Seagrass information was being updated and renewed.
- The next Forum would be held on Tuesday 18th October 2022.

South Devon & Channel Shellfishermen

The Board Member stated that the fishermen were excited by the possibility of a new set up but appreciated the funding bid to Government may not be successful. Currently there were no issues, and business was good.

Kingsbridge and Salcombe Marine Business Forum

The Board Member updated that two rib suppliers were based in the Ukraine, therefore businesses were concentrating on service. The increase in petrol prices was having a massive impact on all who had fuel needs. Long term bookings were lower than the 2021 summer season now that people could once again travel abroad for holidays.

Kingsbridge Estuary Boat Club (KEBC)

The previous Board Member for KEBC had now departed from the Board. Mr C Plant would now be the Board's representative, which would be facilitated by the Harbour Master.

East Portlemouth Parish Council

The Steps at Ditch End were noted as in need of review, which the Harbour Master said he would perform and report back outside of this meeting.

SH.09/22

WATER QUALITY

The Harbour Master introduced a report which outlined the analysis of trends in water quality in the Harbour over the last six years.

Thanks were given to the previous Vice Chair who had worked hard on this project. He had worked for many years on trying to get current information on water quality from the Environment Agency, and data going back to 2018 was now available. Water quality was heavily dependent upon tide and weather, with rain and low tide having the worst impact. No major areas of concern were identified which was reassuring, and a slight improvement on bathing quality on beaches noted. This was noted as a starting point, with a monitoring paper to be produced going forward. The next step would be taking this information to South West Water and Devon County Council for their comments.

Water quality awareness events would be arranged, recorded, and then hosted on YouTube (South Hams District Council's or Devon Area of Outstanding Natural Beauty's sites). The recruitment of a dedicated catchment officer was on-going, and the new post holder would be invited to a future meeting.

During the debate the following points were raised:

- The North Sands beach at low tide trapped a great deal of seaweed which broke down anoxically producing an unpleasant smell. It was confirmed that samples had been tested and all was fine.
- Bathing testing had not occurred during the two pandemic years, but swimming was declared safe as long as it was not after heavy rainfall.
- Whilst water quality was one of the Harbour's most valuable assets, it was also something that the Harbour had least control over. The data would allow the Harbour to approach third parties to facilitate joint projects and campaigns to promote water quality.
- Following discussions regarding emergency releases into the Estuary, it was proposed, and seconded, that the Board would seek comments from the Environment Agency and South West Water on the results obtained, with particular reference made to sewage

discharges at West Charleton, as the sewage works did not appear to be working adequately in that area.

- The potential for instituting water testing done by the Harbour Authority in conjunction with a local University was to be explored, including the possibility of slow speed water analysis using the Kingsbridge Ferry to be investigated.

It was then:

RESOLVED

- 1) That the analysis of water quality data provided by the Environment Agency (EA) be noted.
- 2) That comments be sought from the EA and South West Water on the results, with particular respect paid to sewage discharges at West Charleton.
- 3) That the Board investigate the merits of instigating its own programme of water sampling on the Estuary.

SH.10/22 2021/22 YEAR END FINANCIAL REPORT

Consideration was given to a report that advised the Board of the Harbour's final trading position in 2021/22 together with brief details of the main variations from the original Budget. Furthermore, the report also presented a summary of the Harbour Reserves.

Thanks were given during the introductions to the Head of Finance for all her help.

During the ensuing discussion, it was noted that:

- the reserves were closely aligned to the business plans and, whilst there was no upper limit on reserves, if the reserves were to get excessive, then the budget would be reviewed. It was also noted that the costings of future projects would need to be reviewed in light of the current climate of rising costs.
- The 2021/22 surplus was the highest in many years, but it was acknowledged that this needed to be put into context and was mostly due to the Covid pandemic and subsequent ban on overseas travel.
- Although the position of the Chair was entitled to claim a Special Responsibility Allowance (SRA) in accordance with the South Hams District Council Scheme of Members Allowances, since the current Chairman was also entitled to a second SRA (by virtue of being a Political Group Leader), he did not claim the Chairs Allowance because the Scheme only entitled a Member to claim one SRA;
- The one-off merit payment to the Harbour Staff was discussed, with thanks given to the team for the hard work they had performed. One Board Member suggested that this merit payment could be reviewed annually.

It was then:

RESOLVED

That the Board:

1. **NOTE** the income and expenditure variations for the 2021/22 financial year, **NOTE** the overall trading surplus of £119,526 and **RESOLVE** to allocate this surplus to the Harbour's General (Revenue Account) Reserve; and
2. **SUPPORT** the payment of merit pay to the Harbour staff of up to £6,000 funded from the Harbour's General (Revenue Account) Reserve.

SH.11/21 HARBOUR MASTER'S REPORT

The Harbour Master (HM) gave a verbal update to the Board which outlined:

- Workload had been very high over the last few months, with today's discussions giving a good snapshot of what the team had been occupied with.
- Approaching full season from the coming weekend, with senior management working seven days per week, extra staff employed, security increased, and more hours on the water.
- The 5-year business plan was progressing and dovetailing into South Hams District Council's document, thereby aligning themes. The concept of a rolling 5-year plan was being incorporated and the HM would arrange a workshop at the appropriate time.
- Safety – only two instances to report. The first a couple of weeks before and the second was yesterday: both were knocks and bangs.
 - One slipped line, stuck in gear, and the boat could not be stopped before it hit the bathing platform of anchored boat. No injuries other than bruising, Harbour Staff responded brilliantly. Boat out of the water next week, with a report to the Captain, as panic exacerbated the situation, and cutting the engine would have helped.
 - The second instance was during the regatta. Regatta was to have 17 or 19 rigs with 25 to each crew. Start delayed due to swell at harbour edge. After half an hour's delay, the regatta was started, but one rig was caught in a freak wave with seven ending up in the water. All were taken out of the water, the boat righted, and the event eventually continued. The Independent Person was fully aware of the incident and there would be a small investigation, which would hopefully feed into September's report.
 - Lessons to be learnt – fortunate no fatalities. Quick response from staff and sensible response to get back upright, restricted event going forward. Life jackets were only worn by two and this would form part of the review.
 - Live investigations therefore event's future would be determined once the final safety report was available.

- It is unusual for rig to capsize, this will ripple through South Hams, British Rowing will undertake their own investigation. Once Cllr Bastone had received the report, he would bring it back to the Board.
- Projects updated on the morning's trip around the Harbour
- CCTV, mooring barge, offices review.
- Training – revalidation on forklift and crane (off season end Sept), SHDC line management development pathway. Legislative training and development training trying to ensure both happen.
- August budget workshop/emails would be arranged similar to the previous year, for financial review in September 2022.
- Following an internal audit, the HM updated on the finances with tools and materials noted as expensive, income had not been audited as such. Chain procurement for this year was about to happen, but recent material price increases were noted as being steep, e.g. steering cable had now doubled in price and only half stock available.

(Meeting commenced at 2:30 pm and concluded at 4:20 pm)

Chairman

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**MINUTES of the MEETING of the
OVERVIEW & SCRUTINY COMMITTEE,
Held in the Council Chamber, Follaton House, Totnes, on
THURSDAY, 16 JUNE 2022**

| Panel Members in attendance: | | | |
|-------------------------------------|----------------|-------------------------------|---|
| * Denotes attendance | | ∅ Denotes apology for absence | |
| * | Cllr L Austen | * | Cllr R Rowe |
| * | Cllr J P Birch | * | Cllr P C Smerdon (Vice Chairman) |
| ∅ | Cllr M Chown | ∅ | Cllr B Spencer |
| ∅ | Cllr S Jackson | * | Cllr J Sweett |
| * | Cllr L Jones | * | Cllr D Thomas (Chairman) |
| ∅ | Cllr J McKay | * | Cllr B Taylor |
| ∅ | Cllr J Rose | * | Cllr V Abbott (substituting for Cllr Jackson) |

| Other Members also in attendance: |
|---|
| <p><i>Cllrs H Bastone; J Pearce – in person</i> <i>Cllrs D O’Callaghan; G Pannell; H Reeve; J Hawkins – remote attendance via Teams Meeting.</i></p> |

| Item No | Minute Ref No below refers | Officers in attendance and participating |
|---------|----------------------------|--|
| All | | Director of Strategy & Governance; Head of Finance (via Teams); Business Manager – Specialists; Senior Democratic Services Officer; and IT Officer and Democratic Services Officer (via Teams) |
| Item 7 | O&S.05/22 (a) | Head of Housing, Revenues, and Benefits |

O&S.01/22 MINUTES
 The minutes of the meeting of the Overview and Scrutiny Committee (O&S) held on 21 April 2022 were confirmed as a correct record.

O&S.02/22 URGENT BUSINESS
 Since this was the first Committee meeting of the 2022/23 Municipal Year, the Chairman and Vice Chairman both gave thanks to Cllr John Birch for his exemplary chairing of the Committee for the last three years. Thanks were also given to Cllrs Pennington and O’Callaghan for their years of service on f the Committee.

O&S.03/22 DECLARATIONS OF INTEREST
 Members and officers were invited to declare any interests in the items of business to be considered during the course of the meeting, but there were none declared.

O&S.04/22 PUBLIC FORUM

In accordance with the Public Forum Procedure Rules, the Chairman informed that no questions had been received for consideration.

O&S.05/22 **THIRD PARTY PARTNER**

(a) **LIVWEST**

The Committee was addressed by Mr R Baldwinson and Ms S Brown who gave a presentation outlining the work of LiveWest and its relationship with South Hams District Council (SHDC).

During the question and answer session, the following points were made:

- In response to SHDC declaring a housing crisis, LiveWest had met with officers to discuss this, and confirmed that creating more outlets, prioritising delivery of affordable housing, and prioritising land for affordable housing would help towards solving the crisis.
- 'Right to Buy' caused issues as a property sold took four years to replace, and often could not be replaced due to issues with land availability.
- The LiveWest representatives confirmed that they pursued debt for rent but were also aware that an eviction could lead to people being made homeless. When questioned, it was confirmed that there had been no evictions in the South Hams area last year.

The Chairman then gave thanks to the LiveWest representatives for their excellent presentation.

(b) **SOUTH WEST MUTUAL**

Mr T Greenham of South West Mutual gave his presentation to the Committee, outlining the progress of the Mutual.

During the question and answer session, the following points were made:

- SHDC was one of the major shareholders of the Mutual, who had one vote amongst 100. Updates were sent regularly to SHDC as a shareholder and the Section 151 Officer attended each Annual General Meeting. The Section 151 Officer confirmed that she would ensure she reported back after the next meeting.
- More investment was being sought for the next stage of the project. It was confirmed that if sufficient funds were not received, the Mutual would be disbanded with no liability to the Council.
- The legality of working with other mutuals was still not clarified: South West Mutual was waiting to hear from the Secretary of State for Business but accepted that this was unlikely to be a priority for the Secretary of State.

The Chairman gave thanks to Mr Greenham for his interesting and informative presentation.

O&S.06/22 **BETTER LIVES FOR ALL THEMATIC UPDATE: COUNCIL SERVICES**

Following the Council's adoption of the Better Lives for All Strategy in September 2021, the Committee was provided with an update on the Council Services strand of the Better Lives for All Strategy.

Each project that was not on target, as outlined in Appendix A of the attendant report, was then reviewed in turn:

CS1.1: It was confirmed that, although this strand was off track, it was hoped that it would be back on track within six months. Following a question from a Member, the officer stated she would look into the proposed mobile solution for locality officers and would email the Committee with her findings.

CS1.2: The Leader confirmed that opening hours for the reception at Follaton House was being reviewed. Hours of opening would be reduced to help promote channel shift as everything was now offered online, which was a much more efficient, and cheaper, way to respond to customer queries. However, it was noted that there would always be some individuals who needed face to face and/or telephone exchanges with the Council.

With regards to CS1.3 and CS1.4, following Member discussion, it was agreed that the Chairman of the Overview and Scrutiny Committee would write to the Executive Lead Member to ask if she wished input from the Committee, as a 'critical friend', in consultations and resident engagement.

O&S.07/22 **PROGRESS OF RECRUITMENT ON FUTURE LAWYERS**

It was noted that all five vacancies within the Legal Services Team were currently being advertised. The closing date for applications was 20 June 2022. A report on the progress of the recruitment would be brought to the next meeting of the Committee, on 21 July 2022.

A Member of the Committee stated that the Council carrying five lawyer vacancies was not acceptable and had impacted on some actions of the Council. The Member proceeded to call for a task and finish group to be set up to examine the workings of the legal services team and to come forward with options to make it more efficient and effective. The Director of Governance and Strategy confirmed that agency lawyers, other local authorities, and external consultants had been used when necessary, but he was happy to respond to individual situations outside of the meeting. It was confirmed that two new posts had been created in Autumn 2021 to support the Monitoring Officer, pay had been reviewed alongside an internal review of the team, including a skills set review.

Following the debate, where several Members stated their belief that all was already being done to fill the vacancies it was therefore felt that a task and finish group review was unnecessary and the request for a task and finish group was declared **LOST** at the subsequent vote.

O&S.08/22 **TASK AND FINISH GROUP UPDATES**

a) Housing

The final report would be available for the Executive meeting on 7th July and the work of the Task and Finish Group would then be completed.

It was then:

RESOLVED

That the Overview and Scrutiny Committee **NOTE** the above and **ACKNOWLEDGE** that the Committee Chairman and Vice-Chairman would collate the examples before these would then be relayed to the Executive.

O&S.09/22 **ANNUAL WORK PROGRAMME 2022/23**

The latest version of the draft annual work programme for the coming fiscal year was reviewed and approved by the Committee.

(Meeting started at 2:00 pm and concluded at 4:25pm)

Chairman

**MINUTES of the MEETING of the
OVERVIEW & SCRUTINY COMMITTEE,
Held in the Council Chamber, Follaton House, Totnes, on
THURSDAY, 21 JULY 2022**

| Panel Members in attendance: | | | |
|-------------------------------------|----------------|-------------------------------|--|
| * Denotes attendance | | ∅ Denotes apology for absence | |
| * | Cllr L Austen | * | Cllr R Rowe |
| ∅ | Cllr J P Birch | * | Cllr P C Smerdon (Vice Chairman) |
| ∅ | Cllr M Chown | * | Cllr B Spencer |
| * | Cllr S Jackson | ∅ | Cllr J Sweett |
| ∅ | Cllr L Jones | * | Cllr D Thomas (Chairman) |
| * | Cllr J McKay | * | Cllr B Taylor |
| ∅ | Cllr J Rose | * | Cllr M Long (substituting for Cllr J Sweett) |

| Other Members also in attendance either in person or via Teams: |
|--|
| Cllrs K Baldry; H Bastone; J Pearce; J Hawkins; N Hopwood; K Pringle and H Reeve |

| Item No | Minute Ref No below refers | Officers in attendance and participating |
|---------|----------------------------|--|
| All | | Deputy Chief Executive; Director of Strategy & Governance; Section 151 Officer (via Teams); Business Manager – Specialists; Senior Specialist – Economic Development; Specialist - Democratic Services; Senior Specialist - Place Making (via Teams) Specialist – Leisure; Specialist – Green Infrastructure and representatives from Fusion Leisure (via Teams) |

O&S.10/22 MINUTES SILENCE

Since this was the first formal Member meeting since former Councillor Simon Wright had sadly passed away, Members proceeded, as a mark of respect, to stand and observe a minute's silence in his memory.

O&S.11/22 MINUTES

The minutes of the meeting of the Overview and Scrutiny Committee (O&S) held on 16 June 2022 were confirmed as a correct record.

O&S.12/22 DECLARATIONS OF INTEREST

Members and officers were invited to declare any interests in the items of business to be considered during the course of the meeting, but there were none made.

O&S.13/22 PUBLIC FORUM

In accordance with the Public Forum Procedure Rules, the Chairman informed that no questions had been received for consideration.

O&S.14/22 **“BETTER LIVES FOR ALL” THEMATIC UPDATE: ECONOMY**

Following the Council’s adoption of the Better Lives for All Strategy in September 2021, the Committee was provided with an update on the Economy strand of the Better Lives for All Strategy.

In discussion on the report, the following points were raised:

- (a) Action TE1.1: The Shared Prosperity Fund (SPF) investment plan was discussed, with the individual projects to be shared with Members before the Bid was made. It was confirmed that the SPF Bid would not conflict with any potential protective environment monies, dovetailing with various activities, (e.g. regenerative farming), which would also aid biodiversity and soil health. An update on specific support for local farmers would be given to a future Committee meeting;
- (b) Action TE1.2: Following a question from a Member, it was agreed that there had been insufficient interaction with rural communities for the #MySpace spring/summer campaign and, although available funds were reducing, the Christmas campaign was already under development and there would be greater involvement with rural parishes. The officers would contact rural communities within a fortnight of this meeting and assurances were given that local ward Members would also be involved. Because of this, it was **PROPOSED, SECONDED**, and at the subsequent vote, **AGREED** that the overall rating for this Action should be moved from green (on track) to amber (slightly off track but plan in place);
- (c) Action TE1.3: It was confirmed that there was a small amount of financial support available to deliver on this Action. The Lead Executive Member stated that he wanted to work on supporting tourist information centres in the district;
- (d) Action TE1.4: It was clarified that although the objective set had been for key town businesses, the project had also focused on supporting rural businesses too. It was stated that this high level action would be regularly updated with the next iteration soon to reflect the situation with grant funding availability;
- (e) Action TE1.5: Following the decision of the Executive at its meeting on 7 July 2022 (Minute E.22/22 refers) in relation to the Iybridge Regeneration project, it was confirmed that this action would be removed from the next iteration of this Delivery Plan;
- (f) Action TE1.6: It was confirmed that the Council could not insist that a Town Council produced a Town Centre Plan; and

- (g) Action TE1.7: It was stated that there was much demand for small business premises in the area with current units often fully let before completion.

It was then:

RESOLVED

That the Overview and Scrutiny Committee:

1. **NOTE** the progress in delivering against the Better Lives for All 'Economy Thematic Delivery Plan';
2. **REQUEST** an update on the outcome of the Bid to the UK Shared Prosperity Fund once this had been announced; and
3. **REQUEST** that the overall rating for Action TE1.2 should be moved from green (on track) to amber (slightly off track but plan in place);

O&S.15/22 **LEISURE CONTRACT – FUSION QUARTERLY REPORT**

The Executive Lead Member for Leisure introduced the report which provided an update on current performance, and the presentation summary for the past three months (as shown in Appendix A of the attendant report).

During the presentation, reference was made to:

- Centre attendance figures being only just lower than those before the COVID pandemic;
- The identified gap in service provision for 16 to 18 year olds;
- The introduction of a reduced rate for using the Centre facilities that were on offer. It was noted that this introduction and the extension of concessionary hours had been well received;
- Family membership tariffs being currently under review; and
- An increase in provision of leisure activities for 8-12 year olds.

Further to questions from Members, the following points were clarified:

- a) It was recognised that the financial support that had been provided from the Council during the Pandemic had been very well received by Fusion and had helped to reduce the financial pressures that the organisation had faced;
- b) Whilst there had been a significant number of expressions of interest, at the time of this meeting these were not at a point that had resulted in any of the café facilities within the Leisure Centres being opened. However, it was hoped that one of the Centre facilities would be open from September 2022;
- c) In response to the concerns of the local Ward Member, the community outreach offer for football in the Woolwell area had not been progressed. In reply, it was agreed that this would be followed-up outside of this Committee Meeting;

- d) The Committee noted that the recruitment challenges facing the leisure industry were still being felt by Fusion and there remained a number of vacancies throughout the Centres. Some of the measures that were being undertaken by Fusion to reverse this trend were highlighted, including the pending wage review;

In concluding the agenda item, the Chairman thanked the Fusion representatives and lead officers for their report, presentation and responses to Member questions.

It was then:

RESOLVED

That the contents and progress of Fusion's Quarterly Report for 2022 be noted.

O&S.16/22 SECTION 106 MONIES REVIEW

In accordance with Minute reference O&S.62/21, the Committee reviewed an extract of a report which was presented to the Executive on 3 March 2022, as part of the Month 10 Capital Programme Monitoring report for 2021/22 (Minute E.92/21 refers).

Although Section 106 (S106) monies were normally tied to the town/parish for which the relevant development had taken place, S106 affordable housing contributions could be spent across the wider district if there was no opportunity to develop in the immediate town/parish from where it had been collected.

It was reiterated that Members should be working hard to get the S106 monies allocated before the expiry deadline when they had to be returned to the Developer. Thanks were consequently passed to the officers for their work and the report extract.

O&S.17/22 PROGRESS OF RECRUITMENT ON LAWYERS

The Committee received a verbal update on behalf of the Monitoring Officer regarding the progress being made on the recruitment of lawyers as follows:

"The update is that since the last Committee a further member of staff has resigned, but we are continuing to advertise to fill all vacancies, but also exploring alternatives with other local authorities."

Members expressed their disappointment that the situation was now even worse than at the time of the last Committee meeting and the following potential measures were suggested as a way forward:

- Benchmarking rates of pay with other Devon local authorities; and

- The ability to buy-in additional legal resource from other local authorities. In reply, it was confirmed that discussions had been held with other local authorities. However, these authorities were facing similar challenges since there was a general shortfall of legal resource across the region. Notwithstanding the resource pressures, officers did give an assurance to the Committee that essential work related to the legal service was being carried out.

O&S.18/22 **TASK AND FINISH GROUP UPDATES**

a) Housing

It was noted that the Group had formally concluded its review and it was intended that the conclusions would be presented to a future Executive meeting as part of a Housing Crisis – Standing Agenda Item report.

b) Electric Vehicle Strategy

The Executive had requested that the Committee set up a Task and Finish Group to support officers in the development of an Electric Vehicle Charging Strategy for the District.

In discussion, it was agreed that a Group should be established for this purpose and it was requested that it comprise of 5 Members. In recognition that a number of Members were not in attendance at this Committee Meeting, it was felt that expressions of interest to serve on this Group should be sought outside of this Meeting. It was also concluded that the lead Executive Members for Climate Change and Car Parks should be invited to attend Task and Finish Group meetings (that would be held over Teams) when arranged.

O&S.19/22 **ANNUAL WORK PROGRAMME 2022/23**

The latest version of the draft annual work programme for the coming fiscal year was reviewed and approved by the Committee.

(Meeting started at 10:00 am and concluded at 12:30pm)

Chairman

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MINUTES of the MEETING OF THE DEVELOPMENT MANAGEMENT COMMITTEE
held in the **COUNCIL CHAMBER, FOLLATON HOUSE, TOTNES**, on **WEDNESDAY,**
7 September 2022

| Members in attendance * Denotes attendance ∅ Denotes apologies | | | |
|---|--|---|--------------------------|
| * | Cllr V Abbott (for 5(a),(b),(c),(d) and (e) only (Minute DM.27/22 refers)) | * | Cllr M Long |
| * | Cllr J Brazil | * | Cllr G Pannell |
| * | Cllr D Brown | * | Cllr K Pringle |
| * | Cllr R J Foss (Chairman) | * | Cllr H Reeve |
| * | Cllr J M Hodgson | * | Cllr R Rowe (Vice Chair) |
| ∅ | Cllr K Kemp | * | Cllr B Taylor |

Other Members also in attendance and participating:

Cllrs K Baldry; H Bastone and J Pearce

Officers in attendance and participating:

| Item No: | Application No: | Officers: |
|------------------|-----------------|--|
| All agenda items | | Principal Planning Officers; Senior Specialists, Specialists and Senior Case Manager – Development Management; Monitoring Officer; IT Specialists; and Democratic Services Officer |

DM.24/22 MINUTES

The minutes of the meeting of the Committee held on 6 July and 27 July 2022 were confirmed as a correct record by the Committee subject to the following amendments to the 6 July minutes (DM.13/22 and DM.15/22 refers) underlined below.

- Cllr B Taylor declared an Other Registerable Interest in applications 5(a), (b), (c) (d) and (f) (minutes DM.15/22 below refer), he is a member ~~of the Member~~ of the South Devon AONB Partnership Committee. The Member remained in the meeting and took part in the debate and vote thereon.
- The Ward Members thanked Members for attending the site visit, they said that this is not just a commuter town, it was their home.
- An Aldi built on the significant car parks in towns like Totnes, Kingsbridge, Salcombe or Dartmouth would take away from each town.
- Experts were saying two different things regarding the veteran tree and it is crucial to understand whether the tree is veteran before development

takes place.

- Members, when stood by the Co-op store, saw green landscape and this will be replaced by a two-storey building.
- Iybridge has regenerated; do not take away the livelihood of retailers and there will be a significant impact on the loss of car park for the Breast Screening Unit and the Thursday market.
- Speakers included: Objector – Jo Burgess (slides); Supporter – Martin Simpson; Parish Council – Cllr Hladkij (slides); Ward Members - Cllrs Abbott (slides) and Pringle

DM.25/22 **DECLARATIONS OF INTEREST**

Members and officers were invited to declare any interests in the items of business to be considered and the following were made:

Cllr B Taylor declared an Other Registerable Interest in applications 6(a), (c), (d) and (e) (minutes DM.27/22 (a), (c), (d) and (e) below refer) because he was a member of South Devon AONB Partnership Committee. The Member remained in the meeting and took part in the debate and vote thereon.

Cllr K Pringle declared an Other Registerable Interest in application 6(f) (minute DM.27/22(f) below refers), by virtue of being a member of Iybridge Town Council. The Member remained in the meeting and took part in the debate and vote thereon.

DM.26/22 **PUBLIC PARTICIPATION**

The Chairman noted the list of members of the public, Town and Parish Council representatives, and Ward Members who had registered their wish to speak at the meeting.

DM.27/22 **PLANNING APPLICATIONS**

The Committee considered the details of the planning applications prepared by the Planning Case Officers as presented in the agenda papers, and considered also the comments of Town and Parish Councils, together with other representations received, which were listed within the presented agenda reports, and **RESOLVED** that:

**6a) 4318/21/FUL Shelter 21m From Station Restaurant, South Embankment, Dartmouth
Parish: Dartmouth**

Development: Change the use of parts of the South Embankment Promenade to facilitate 9 discrete 'pitches' which can be used by hospitality businesses to provide outdoor seating.

Case Officer Update: The Case Officer reported that SHDC was the applicant and shared images showing the outline of where the pitches would be located across the promenade. An objection had been received from Devon County

Highways and a condition had been recommended to ensure that each business supervised crossings. It was proposed that, if granted, a temporary consent would be appropriate in order that the situation could be monitored.

In response to questions raised by Members, the Case Officer informed that:

- all of the canopies would be the same colour and the pitches set back to allow people to continue to walk along by the edge of the water; and
- there would be a requirement that, when not in use, the pitches would be removed and stored away.

Speakers included: Supporter – Mark Readman; Ward Member – Cllr R Rowe

Members felt that the proposed condition 3 was very onerous for the businesses and questioned whether it was the responsibility of each individual business to ensure the safety of the public. Members felt this condition was to satisfy Devon County Council's objections and were minded to remove it. It was also highlighted that the supervised crossing was for the public and staff.

The Ward Member reported that traders worked together to co-ordinate the pitches and there was space for the public to walk alongside the riverside. Instances of the public crossing the road would happen regardless of the pitches and there had been no accidents during the last 3 years of operation. This had created a great ambience in this part of Dartmouth and the Member was confident that, if approved, the pitches would thrive over the next three years.

During the debate, Members questioned whether it was necessary for a temporary application and moved for this application to be made permanent and for the removal of condition 3. Members felt strongly that it was not the responsibility for the businesses to oversee supervised crossings.

Having been proposed, Members sought advice from the Monitoring Officer on the alternative proposition. In so doing, the Monitoring Officer informed that Members were entitled to grant planning permission with conditions subject to the conditions passing the usual tests. If Members view that a proposed condition was not necessary to make the proposal acceptable in planning terms, then it was within their gift to not impose that condition. The Monitoring Officer also stated that it was clear that Members had considered the view of the County Highways Authority and had debated that view. Having done so, the Monitoring Officer was of the view that Members would not be acting unreasonably.

Recommendation: Conditional Approval.

Committee decision: Conditional Approval subject to inclusion of the following additional changes:

- Time limit (temporary 3 year consent) – this condition to be made permanent.

- Use of 'banks person' – this condition to be removed.

Conditions: Accord with plan
Hours of operation 9.00 am – 10.00 pm

**6b) 3931/21/FUL Little Acres, Yealmpton
Parish: Yealmpton**

Development: Conversion of existing garage and store to create annex with habitable accommodation (part retrospective).

Case Officer Update: The Case Officer reported that this application was retrospective and sought approval of the already constructed residential annexe. The key issue for the Committee to consider was whether the principle of the annexe as ancillary habitable accommodation to the main dwelling was acceptable. At the site visit, Members had questioned the planning history for the site. The Case Officer proceeded to provide Members with the planning history for this site which included previous applications, enforcement and subsequent appeals quashed by the planning inspector.

Speakers included: Supporter – Jessica Duff; Parish Councillor – Cllr Craddock; Ward Members – Cllrs K Baldry and D Thomas.

Members questioned the holiday homes raised by the applicant and whether the annexe was elderly friendly.

One of the Ward Members stated that he was not convinced by the highways officer report and felt that access into the property would cause a highway issue. The Member also felt that this accommodation was not sustainable and water drainage not adequate and was contrary to planning policy TTV26. As a result, the Member asked the Committee to refuse the application.

The Ward Member raised the concerns that the proposed condition restriction occupation could be varied later and for the annexe to evolve from ancillary to a separate dwelling. The Ward Member highlighted that there were chalets in close proximity from Little Acres and this was a separate application and urged Members to take account of the policy points raised and that this could very soon become a separate dwelling.

In response to the Ward Member, Members highlighted the issues with social care and that this annexe would support the family. The Ward Member responded that this site did not support an ancillary dwelling.

During the debate Members sought clarification on the definition of an annexe as opposed to a house and questioned the potential for garages to be turned into a separate dwelling. In conclusion, Members stated that they had sympathy with the views of the Parish Council and local residents but felt that the Planning Inspectorate had overruled previous decisions and the majority of Members

therefore felt that they had to support the proposal.

Recommendation: Conditional Approval.

Committee decision: Conditional Approval.

Conditions: In accordance with plans;
Restriction on use – ancillary to main dwelling known as Little Acres;
Drainage scheme installed in accordance with plans;
Unilateral Undertaking to secure Plymouth Sound and Estuaries EMS contribution has been completed and signed.

6c) 3026/21/FUL **Vineyard North West of Buckland", Buckland, Bantham Parish: Thurlestone**

Development: Temporary installation of two rows of Paraweb Fencing to protect planted windbreaks.

Case Officer Update: The Case Officer reported that this application was for the temporary installation of paraweb for a period of 5 years and key planning considerations for the Committee to determine related to the justification for the wind breaks and landscape impacts.

Members questioned the temporary condition and whether there was a possibility for an extension and asked why the Landscape Officer's opinion had changed.

Speakers included: Objector – Jon Wigg; Supporter – David Hares; Ward Members – Cllrs J Pearce and M Long.

In response to questions from Members, the objector felt that this application constituted a retrospective planning application and the vines had been planted with the knowledge that fencing would need to be built. The objector also had no faith that planning enforcement would be followed through.

In response to questions from Members, the supporter reported that the biodiversity related to the additional planting and that, in his view, this would clearly be an improvement on an arable field. The beech trees would ultimately grow to a height of 45 metres and the overgrown hedge bank would be more characteristic to the area. It was further reported that the long term benefits of the proposals would outweigh the adverse impacts on the landscape.

One of the Ward Members stated that they were content for this application to have been determined by officers as a delegated decision and that no objections had been raised by the Parish Council. The application fell within the policies of the Neighbourhood Plan and would be an innovative project for the parish. The vines had been planted last year and would take five years to

grow. Therefore, the vines would need protection when flowering. Having researched other vineyards that were located near the sea, all were found to have windbreaks to protect them from the wind.

The second Ward Member informed that they had requested for this application to be determined by the Committee in response to concerns that had been raised in respect of the use of paraweb on the landscape and visual impact on the countryside and the AONB. The Ward Member informed that, if approved, would like to see a condition imposed on the maintenance of the orchard, currently a 5 year maintenance plan, to be increased to 10 years.

During the debate, Members felt that this was a fair proposal which would provide new jobs for the local area and increase biodiversity but acknowledged that the local community felt let down by SHDC on planning enforcement matters. Some Members were concerned over the use of the introduction of paraweb and wanted assurances that the paraweb would be removed after 5 years. Members then requested an increase to the maintenance plan to 10 years and for the wording to be changed in condition 6 to ensure that the paraweb was removed after 5 years. Members then debated the use of glyphosate and the impact on the environment and it was recognised that it was not a planning issue and that this subject should be debated further outside of this meeting.

Recommendation: Conditional approval, subject to a detailed landscaping scheme being provided

Committee decision: Conditional Approval, subject to condition 5 being changed to require landscaping to be maintained for 10 years instead of 5 and also for the reason for condition 6 to be changed to remove the last sentence.

Conditions:

- 1) Time limit
- 2) Approved drawings
- 3) Ecology recommendations
- 4) Nesting birds
- 5) Planting
- 6) Temporary condition / removal after five years

6d) 3027/21/FUL Vineyard North of Lower Aunemouth, Bantham Parish: Thurlestone

Development: Temporary installation of two rows of Paraweb Fencing to protect planted Windbreaks.

Case Officer Update: The Case Officer reported that an additional objection had been received from the South Hams Society.

In response to questions from Members, it was reported that there would be more of a visual impact on the AONB due to the positioning of the footpaths

and the use of glyphosate was outlined within the landscaping plan under maintenance.

Speakers included: Objector – Jon Wigg; Supporter – David Hares; Ward Members – Cllrs J Pearce and M Long.

In response to questions from Members, it was reported that herbicide applications took place in April, June and August and were used during the first year for planting to establish and plantation A1 west of the fencing was included in the landscaping scheme as part of a condition.

One of the Ward Members highlighted that, due to the very few objections that had been received, this application could have been delegated to officers. It was stated that a previous application relating to the Bantham Estate had received over 90 objections.

The second Ward Member again raised concerns on the paraweb, the visibility impact and expressed the view that these proposals would have a higher impact.

During the debate, Members raised the maintenance schedule on landscaping to be increased to 10 years as opposed to the 5 years and to include plantation at area a1.

Recommendation: Conditional approval, subject to a detailed landscaping scheme being provided

Committee decision: Conditional Approval

Conditions:

- 1) Time limit
- 2) Approved drawings
- 3) Ecology recommendations
- 4) Nesting birds
- 5) Planting
- 6) Temporary condition / removal after five years

**6e) 1332/22/HHO Netton Farmhouse, Noss Mayo Householder application for single storey side extension to kitchen.
Parish: Newton and Noss**

Development: Householder application for single storey side extension to kitchen.

Case Officer Update: The Case Officer provided Members with images outlining the measurements for the extension following comments made on the site visit. The application was recommended for refusal with the key issues related to the siting of the structure, the proposed design and Policy N3P not relevant to this particular site.

Speakers included: Supporter – Dr Philip Hughes; Parish Councillor – Cllr Kevin Thomas; Ward Members – Cllrs D Thomas and K Baldry.

The Ward Members reported that this application had been called in in response to the contents of the parish neighbourhood plan and they strongly urged the Committee to consider this application which was entirely in keeping and had widespread parish support. Finally, the Members were of the view that the proposals were an improvement on the current building and therefore asked the Committee to grant approval of the application.

Having been informed by the Monitoring Officer that the merits of the application were subjective, Members took into consideration what had been said and the proposed building materials being in keeping with the existing property, a number of Members proceeded to express their support for this application being conditionally approved.

Recommendation: Refusal.

Committee decision: Delegated Approval with the final wording of the conditions being delegated to the Head of Development Management in consultation with the Committee Chairman and the Proposer and Secunder of the Motion.

6f) 2264/22/FUL Cemetery, Woodland Road, Ivybridge Proposed extension of existing cemetery Parish: Ivybridge

Development: Proposed extension of existing cemetery.

Case Officer Update: The Case Officer reported that this was a SHDC application to extend the area for burials.

Members debated whether a condition could be added to allow the development of wild flowers across the site and it was highlighted that this would be covered by the community team on the management of the cemetery. It was also reported that there was a management plan in place separate to the planning application regarding burials at this cemetery.

Recommendation: Conditional Approval

Committee decision: Conditional Approval

Conditions:

1. Time limit
2. Accord with plans
3. Tree protection plan (pre-commencement)
4. Siting of burials
5. Accord with ecological mitigation

6g) 2453/22/HHO 36 Furze Road, Totnes

Parish: Berry Pomeroy

Development: Householder application for proposed single storey front extension.

The Committee noted that this application had been deferred for further consultation.

DM.28/22 PLANNING APPEALS UPDATE

Members noted the list of appeals as outlined in the presented agenda report.

DM.29/22 UPDATE ON UNDETERMINED MAJOR APPLICATIONS

Members noted the update on undetermined major applications as outlined in the presented agenda report.

DM.30/22 PLANNING PERFORMANCE INDICATORS

Members noted the planning performance indicators outlined in the agenda report.

(Meeting commenced at 10:00 am. Meeting concluded at 14:33 pm, with a 10 minute break at 11:20 am, with lunch at 13:25 pm)

Chairman

Voting Analysis for Planning Applications – DM Committee 7th September 2022

| <i>Application No:</i> | <i>Site Address</i> | <i>Vote</i> | <i>Councillors who Voted Yes</i> | <i>Councillors who Voted No</i> | <i>Councillors who Voted Abstain</i> | <i>Absent</i> |
|------------------------|--|----------------------|---|---------------------------------|--------------------------------------|--------------------------|
| 4318/21/FUL | Shelter 21m From Station Restaurant, South Embankment, Dartmouth | Conditional Approval | Cllrs Abbott, Brazil, Brown, Foss, Hodgson, Long, Pannell, Pringle, Reeve, Rowe and Taylor (11) | | | Cllr Kemp (1) |
| 3931/21/FUL | Little Acres, Yealmpton | Conditional Approval | Cllrs Abbott, Brazil, Brown, Foss, Hodgson, Long, Pannell, Reeve, Rowe and Taylor (10) | Cllr Pringle (1) | | Cllr Kemp (1) |
| 3026/21/FUL | Vineyard North West of Buckland", Buckland, Bantham | Conditional Approval | Cllrs Abbott, Brazil, Brown, Foss, Pannell, Pringle, Reeve, Rowe and Taylor (9) | Cllr Long (1) | Cllr Hodgson (1) | Cllr Kemp (1) |
| 3027/21/FUL | Vineyard North of Lower Aunemouth, Bantham | Conditional Approval | Cllrs Abbott, Brazil, Brown, Foss, Pannell, Pringle, Reeve, Rowe and Taylor (9) | Cllr Long (1) | Cllr Hodgson (1) | Cllr Kemp (1) |
| 132/22/HHO | Netton Farmhouse, Noss Mayo | Approved | Cllrs Abbott, Brazil, Brown, Hodgson, Long, Pannell, Pringle, Reeve and Taylor (9) | | Cllrs Foss and Rowe (2) | Cllr Kemp (1) |
| 2264/22/FUL | Cemetery, Woodland Road, Ivybridge | Conditional Approval | Cllrs Brazil, Brown, Foss, Hodgson, Long, Pannell, Pringle, Reeve, Rowe and Taylor (10) | | | Cllr Abbott and Kemp (2) |
| 2453/22/HHO | 36 Furze Road, Totnes | Deferred | | | | |

**MINUTES OF A MEETING OF THE AUDIT AND GOVERNANCE COMMITTEE
 HELD IN THE COUNCIL CHAMBER, FOLLATON HOUSE, PLYMOUTH ROAD,
 TOTNES ON THURSDAY, 8 SEPTEMBER 2022**

| Members in attendance | | | |
|-------------------------------|--------------------------|---|--------------------------------|
| * Denotes attendance | | | |
| ∅ Denotes apology for absence | | | |
| * | Cllr L Austen (Chairman) | * | Cllr R Rowe |
| * | Cllr J Brazil | * | Cllr B Spencer (Vice-Chairman) |
| ∅ | Cllr J McKay | * | Cllr B Taylor |
| ∅ | Cllr J T Pennington | | |

| Member(s) also in attendance: |
|---|
| Cllrs H D Bastone; N Hopwood (via Teams) and J Pearce |

| Item No | Minute Ref No below refers | Officers and Visitors in attendance |
|----------------|-----------------------------------|---|
| All Items | | Director of Strategy and Governance; Section 151 Officer; Head of Finance; Democratic Services Manager; Head of Strategy & Projects; Audit Manager; Audit Specialist (via Teams) and External Auditor (via Teams) |

AG.8/22 MINUTES

The minutes of the Audit Committee meeting held on 30 June 2022 were confirmed as a true and correct record.

AG.9/22 DECLARATIONS OF INTEREST

Members and officers were invited to declare any interests in the items of business to be considered during the course of the meeting, but none were made.

AG.10/22 DRAFT STATEMENT OF ACCOUNTS AND DRAFT ANNUAL GOVERNANCE STATEMENT 2021/2022

The Committee considered a report that presented the draft Statement of Accounts and draft Annual Governance Statement for 2021/22

In discussion, the following points were raised:-

- (a) The Committee noted the intention for the audited Statement of Accounts for 2021/22 to be presented back to the 24 November 2022 Committee Meeting. In reply to Members repeating their previously raised concerns over the External Audit fees that the Council was required to pay, it was agreed that Members would be provided with a detailed response from Grant Thornton representatives outside of this Meeting;

- (b) With regard to the St Ann's Chapel Housing Scheme, Members attention was drawn to Sections 21 and 32 of the draft Statement of Accounts (as set out at Appendix A of the presented agenda report).

It was then:

RESOLVED

That the Draft Statement of Accounts (as set out at Appendix A of the presented agenda report) and the Draft Annual Governance Statement (AGS) (as set out at Appendix B of the presented agenda report) for the financial year ended 31 March 2022 be noted.

AG.11/22 ANNUAL TREASURY MANAGEMENT REPORT 2021/2

Members considered a report that set out the Council's annual Treasury Management performance for 2021/22. In addition, the report sought approval of the actual 2021/22 prudential and treasury indicators.

In discussion, the Committee recognised the impact of increasing interest rates on the Council's Treasury Management performance.

It was then:

RESOLVED

1. That the actual 2021/22 prudential and treasury indicators in the presented report be approved; and
2. That the Annual Treasury Management Report for 2021/22 be noted.

AG.12/22 UPDATE ON PROGRESS ON THE 2022-23 INTERNAL AUDIT PLAN

A report was considered that sought approval for the Audit Charter and Strategy and also provided an update to Committee Members on the principal activities and findings of the Council's Internal Audit team.

In discussion, reference was made to:

- (a) the publication and management of planning notices. Whilst a statutory requirement to publish planning applications in a local newspaper publication, this was felt to be a challenge given that there was currently only one local publication and a downward trend in newspaper sales;

- (b) an addition to the recommendation was **PROPOSED** and **SECONDED** as follows:

*'That Council be **RECOMMENDED** to close down, with effect from 31 March 2023, the Servaco Trading Company.'*

In making his proposal, a Member questioned the merits of retaining the Servaco Trading Company and, as a consequence, was of the view that, with effect from 31 March 2023, it should be formally closed down. During the ensuing discussion, support was expressed for this proposal and when put to the vote, it was declared **CARRIED**.

It was then:

RESOLVED

1. That the Internal Audit Charter and Strategy be approved;
2. That the progress made against the 2022/23 Internal Audit Plan (and any key issues arising) be noted and approved; and
3. That Council be **RECOMMENDED** to close down, with effect from 31 March 2023, the Servaco Trading Company.

AG.13/22 **GOVERNANCE REVIEW - HOUSING PROGRAMME**

The Committee considered a report that provided an update on the progress made against the recommendations contained within the Community Housing Governance Review. The report also provided an update on other improvements implemented to date.

In discussion, a Member expressed his specific concerns over the lack of local Member involvement in such strategic projects. Furthermore, the Member also felt that, in certain instances, there had been a lack of officer accountability and responsibility that had resulted in projects slipping from their original timetable.

It was then:

RESOLVED

That the content of the presented agenda report (and the improvements implemented) be noted.

AG.14/22 **INVESTMENT PROPERTIES - UPDATE AND MONITORING REPORT**

Members considered a report that provided an update on the financial information and the latest valuation in respect of the Council's Investment Property portfolio.

In respect of the lease arrangements for the property acquired in Dartmouth, officers confirmed that it was intended that the Council would enter into negotiations at the appropriate time. A Member proceeded to express his view that, given that the approximate net yield on the investment properties was only 1.5%, this did not represent good value for money to the Council.

It was then:

RESOLVED

That the 31 March 2022 valuation figures of the Council's two Investment Properties and the rental income being received be noted.

AG.15/22 **STRATEGIC RISK UPDATE**

The Committee considered a report that presented an updated assessment of the Council's strategic risks.

During discussion, reference was made to:

- (a) the 'inadequate staffing resource' risk score. In debate, Members were of the view that one of the most significant risks currently facing the Council was the ability to be able to recruit and retain staffing resource and this was not reflected in the current risk score of 16. As a result, it was **PROPOSED** and **SECONDED** that:

*'That the Executive be **RECOMMENDED** to revisit the 'inadequate staffing resource' risk score, with a view to it being increased from the current score of 16.'*

- (b) the risks associated with the waste and recycling service. Members were of the view that the associated risks should be divided into:

1. the delivery of the Waste and Recycling Service; and
2. the facilitation of the Waste and Recycling Service returning in-house;

- (c) the cost of living crisis. The Committee noted that the Executive was to consider a detailed report on the Council's response to the cost of living crisis at its next meeting to be held on 21 September 2022.

It was then:

RESOLVED

That the Committee has reviewed the Strategic Risk Register (as set out at Appendix A of the published agenda report) and **RECOMMENDS** that the Executive revisit the 'inadequate staffing resource' risk score with a view to it being increased from the current score of 16.'

AG.16/22 ESTATES PROPERTY AND RENTS FOLLOW UP INTERNAL AUDIT

As per the formal request of the Committee at its last meeting (Minute AG.7/22 refers), the Head of Assets was in attendance to provide an update on the Estates Property and Rents Follow-Up Internal Audit.

Whilst accepting that there were further improvements to be made, the officer provided a statement that set out some of the measures that had already been undertaken in light of the findings of the follow up Internal Audit.

The Committee proceeded to thank the officer for her update and Members requested that they be sent a copy of it following the meeting.

AG.17/22 PERFORMANCE MANAGEMENT (DATA QUALITY) FOLLOW UP INTERNAL AUDIT

As per the formal request of the Committee at its last meeting (Minute AG.7/22 refers), the Head of Strategy and Policy was in attendance to provide an update on the Performance Management (Data Quality) Follow-Up Internal Audit.

In his introduction, the officer stated that the Internal Audit had been carried out against two key areas:

- Staff may not follow policy and procedures; and
- Data Integrity may not be assured.

Since the follow-up audit had been carried out, significant progress had been made against both of these areas which were summarised as follows:

- All employees had now formally agreed, documented objectives that were linked to the 'Better Lives for All' Strategy;
- The Council had now adopted a suite of Key Performance Indicators and had significantly enhanced the reporting arrangements for these through the implementation of quarterly monitoring reports to the Executive and six-monthly monitoring reports to the Overview and Scrutiny Committee;

- Steps had been taken to ensure that, where data was referenced, the data source and time period was recorded so that it was auditable in the future. In addition, data that was provided in reports and against Key Performance Indicators was now available in the Council's core systems without the need to extract data and manually calculate performance; and
- Data that was used in publications such as the Annual Report and other public facing documents was now provided directly from relevant services rather than being extracted from other reports. As a result, the risk was reduced that inaccurate data was being replicated in public facing documents.

The Committee was grateful for the update and was further assured when informed that the staff objective setting exercise was aligned to the annual staff appraisal process.

AG.18/22 **AUDIT & GOVERNANCE COMMITTEE WORKPLAN2022-23**

Members were presented with the latest version of the Committee Work Programme and noted its contents.

In discussion, a recommendation was made to add an appraisal report relating to the recent Lybridge Regeneration Project to the agenda for the next Committee meeting to be held on 20 October 2022. Members were supportive of this proposal and requested that the appraisal was an evaluation of all aspects of the Project and it was also requested that a copy of the most of to date Business Plan for the Project be appended to the agenda item.

When put to the vote, it was then declared **CARRIED** that this item be added to the 2022/23 Committee Workplan for consideration at the next meeting to be held on 20 October 2022.

(Meeting commenced at 2:00pm and concluded at 3.35 pm)

Chairman

MINUTES OF A MEETING OF THE EXECUTIVE HELD IN THE COUNCIL CHAMBER ON WEDNESDAY, 21 SEPTEMBER 2022

| | | | |
|---------------------------------|----------------------------------|---|----------------------------|
| Members in attendance: | | | |
| * Denotes attendance | | | |
| ∅ Denotes apologies for absence | | | |
| * | Cllr K J Baldry | * | Cllr T R Holway |
| * | Cllr H D Bastone (Vice Chairman) | * | Cllr N A Hopwood |
| * | Cllr J D Hawkins | * | Cllr J A Pearce (Chairman) |

| |
|--|
| Non-Executive Members also present either in person or remotely for all or part of the meeting: |
| Cllrs Abbott, Brazil, Brown, Long, O’Callaghan, Pringle, Reeve, Rowe and Spencer |

| Officers in attendance and participating: | | |
|--|--|---|
| All items | | Senior Leadership Team; Monitoring Officer; Democratic Services Manager; Head of Housing; Principal Private Sector Housing Officer; Deputy Section 151 Officer; Head of Strategy, Corporate Projects and Partnerships; Head of Waste and Environmental Services; and Head of Assets |

E.28/22 HM QUEEN ELIZABETH II

Since this was the first formal Member meeting since Her Majesty Queen Elizabeth II had sadly passed away, Members proceeded, as a mark of respect, to stand and observe a minute’s silence in her memory.

E.29/22 MINUTES

The minutes of the Executive meeting held on 7 July 2022 and the Special Executive meeting held on 12 July were both confirmed as a true and correct record.

E.30/22 PUBLIC QUESTION TIME

The Leader informed that no public questions had been received in accordance with the Executive Procedure Rules.

E.31/22 EXECUTIVE FORWARD PLAN

Members were advised that, due to the delaying of this meeting, an updated version of the Forward Plan before them had since been published on the Council’s website and that this updated version would be circulated to all Members in due course.

E.32/22

2021/22 DRAFT REVENUE AND CAPITAL OUTTURN

The Executive considered a report that provided the draft Revenue and Capital Outturn position for 2021/22 and the schedule of the Reserve Balances at 31 March 2022

In discussion, the Leader expressed her disappointment that this year's External Audit of the Council was not yet complete.

It was then:

RESOLVED

That the draft Revenue and Capital outturn figures for the 2021/22 financial year, including the overall Revenue outturn position of an underspend of £214,000 for 2021/22 (2.2% of the total Budget £9.677 million), be noted.

E.33/22

WASTE AND RECYCLING SERVICES UPDATE

The Executive considered a report which provided an update on progress made following the recommendations and decisions taken by the Executive at its Special Meeting on 12 July (Minute E.27/22 refers) regarding the Waste and Recycling Service.

In discussion, the following points were raised

- a) The Deputy Chief Executive reported that a successful and productive meeting had recently been held with the majority of Waste and Recycling staff that were due to return to the Council's employ at the beginning of October 2022. Members were grateful for this update and wished for a formal acknowledgement of thanks to be sent on behalf of the Executive to those operatives who had been working on the frontline in incredibly difficult circumstances in recent years;
- b) Members welcomed the confirmation received from officers that street cleanliness was recognised as being very high on the list of priorities when the service returned in-house;
- c) It was noted that a detailed (and appropriately worded) letter would be sent from the Council to all of its residents concerning the new in-house Service at the start of October 2022;
- d) In recognition of the environmental and sustainability benefits, it was felt to be disappointing that, despite the Council allocating £200,000, there had yet to be any take up of any additional Community Composting Scheme across the District;
- e) It was vital that the Council took account of the experience and knowledge of the current waste and recycling workforce to help improve the operation of the Service. Furthermore, the local knowledge and expertise of all local Ward Members and Town and Parish Councils had to also be utilised as quickly as possible;

- f) Some Members stated that residents were not appreciative of the repeated reference in Council communications to the Garden Waste service being defined as 'free of charge'. Residents were of the view that they had been paying for the service via their Council Tax precepts and these Members therefore asked that this statement be removed from any related future communications;
- g) With regard to the recommendations to Full Council that related to the Garden Waste Service, it was felt that the proposal to charge for the Service would offer residents the choice on whether to engage with the service or not. In addition, the point was made that a service charge was necessary in order to make the Service viable moving forward.
- h) Members noted that a more detailed report on the operating costs of the service was to be presented to the Executive Meeting to be held on 1 December 2022;

It was then:

RESOLVED

1. That the actions being taken by the project team to ensure a safe transfer of the service on 3 October 2022 be endorsed;
2. That the approach to the service transition phase be endorsed;
3. That the information in section 5 of the presented agenda report regarding the garden waste collection service be considered and recommended to Council to implement a chargeable garden waste service from March 2023;
4. That a further report be brought back to the Executive at its 1 December 2022 Meeting on the progress of the transition period and the costs incurred to date on the service transfer;
5. That the organisational changes made by the Head of Paid Service be noted and the further changes required to ensure that the Waste and Operations team and the wider organisation, has the capacity and skills required to deliver the Council's key services and corporate priorities be endorsed;
6. That the use of the £120,000 from the Revenue Grants Earmarked Reserve to fund the Council's share of the 2-year fixed term senior role outlined in paragraph 6.3.2 of the presented agenda report be approved;

That Council be **RECOMMENDED** to:

7. end the current free non-statutory Garden Waste collection service from Monday, 31 October 2022 to ensure that there are sufficient resources and capacity to deliver the statutory waste and recycling collections services; and
8. introduce a chargeable, fortnightly Garden Waste collection from early spring 2023 at a charge of £2.49 per bin per household subscription.

E.34/22

MEDIUM TERM FINANCIAL STRATEGY 2023/24 TO 2025/26

Consideration was given to a report that presented the Council's Medium Term Financial Strategy from 2023/24 to 2025/26.

In discussion, Members were of the view that the recommendations constituted a sensible set of proposals for the three-year period from 2023/24 to 2025/26. When questioned, the Section 151 Officer informed that it was slightly too early to undertake any accurate modelling work on the potential impact of the closure of the Business Rates loophole.

It was then:

RESOLVED1. That Council be **RECOMMENDED**:

- i To set the strategic intention to raise Council Tax by the maximum allowed in any given year, without triggering a Council Tax Referendum, to endeavour to continue to deliver services. (NB. The actual Council Tax for 2023/24 will be decided by Council in February 2023);
- ii To continue to respond to Government consultations on Business Rates Reform;
- iii To continue to actively lobby and engage with the Government, Devon MPs, South West Councils and other sector bodies such as the District Councils' Network and the Rural Services Network, for a realistic business rates baseline to be set for the Council for 2024 onwards, when the business rates reset is predicted to happen (this is the earliest date it might happen);
- iv That the Council continues to lobby in support of the Government eliminating Negative Revenue Support Grant in 2023/24 (and thereafter) and continues to lobby for Rural Services Delivery Grant allocations which adequately reflect the cost of rural service provision; and

- 2. That the forecast budget gap for 2023/24 of £374,616 (3.3% of the projected Net Budget of £11.47million) and the position for future years, be noted.

E.35//22

HOUSING CRISIS UPDATE - ENERGY EFFICIENCY IN HOMES

The Executive was presented with a report that provided an update on the Schemes that the Council was able to promote, enable and administer to assist householders and landlords with improving energy efficiency, improving the thermal comfort of homes and reducing energy usage.

In the ensuing debate:

- a) Members sought reassurance that the Grants and Schemes available were clearly advertised and communicated to local residents and that the application process was as straightforward as Central Government criteria permitted;
- b) the complexities of implementing schemes within South Hams properties was acknowledged;
- c) it was suggested that the number of Schemes and associated contractors were causing some residents to be confused and unsure but a partnership of Local Authorities were operating a Code of Practice amongst the contractors to help inform residents of an 'approved' accredited list.

It was then:

RESOLVED

That the content of the presented report, along with progress to date on the schemes, be noted and support for the council's energy efficiency work be continued.

E.36/22

HOMES FOR UKRAINE

The Executive considered a report that provided an overview of how the Council was responding to the needs of people escaping the War in Ukraine, including delivery of the Homes for Ukraine scheme and wider support to other Ukrainian people settling in the District.

In the ensuing discussion, reference was made to:

- (a) the dedication and hard work of the team. In recognition of the work of officers, an additional recommendation was **PROPOSED** and **SECONDED** as follows:

'That the Executive wishes to put on record its thanks to the team for all its work on this Scheme.'

When put to the vote, this addition was declared **CARRIED**;

- (b) the support provided by Citizens Advice South Hams and the Council for Voluntary Service. In reply to a question, officers confirmed that the support provided to Ukrainian people settling in the South Hams by these organisations was invaluable;
- (c) the £350 host monthly thank you payment. Whilst it was recognised that the position of Minister for Refugees was currently vacant, it was hoped that, when appointed, the new Minister would authorise an increase in the monthly thank you payment.

It was then

RESOLVED

1. That the progress the Council has made under the Homes for Ukraine scheme be noted;
2. That the Leader write to the Minister for Refugees to seek clarity on the future of the Homes for Ukraine scheme and request a more permanent solution;
3. That the significant contribution that our hosts, voluntary and community sector have already played in welcoming Ukrainian guests to the area be noted; and
4. That the Executive wishes to put on record its thanks to the team for all its work on this Scheme.

E.37/22

COST OF LIVING CRISIS

The Executive was presented with a report which considered the support the Council had already put in place and proposed further steps to be taken to ensure our residents were supported over the coming months.

In debate, Members expressed concern for small businesses as well as residents within the District but acknowledged that the Council had no direct access to funding to assist businesses, which were dependant on Central Government providing funding support.

It was then:

RESOLVED

1. That Cllr Hopwood be appointed as the Council's lead Member to respond to the cost of living crisis;
2. That the Council be requested to mobilise its resources and work with partners to ensure a responsive, co-ordinated approach to the cost of living challenges faced by residents; and
3. That the Leader of Council lobby Central Government to substantially increase the funding provided to address the cost of living crisis and to support the Local Government Association in its call for a solution to address the cost of living crisis to reduce the need for emergency support.

E.38/22 EXCLUSION OF PUBLIC AND PRESS

It was then:

RESOLVED

That in accordance with Section 100(A)(4) of the Local Government Act 1972, the public and press be excluded from the meeting during consideration of the following item of business as the likely disclosure of exempt information as defined in paragraph 3 of Schedule 12A to the Act is involved.

E.39/22 REQUEST FOR RENEWAL OF LONG LEASE

Consideration was given to an exempt report that sought approval for the renewal of a long lease.

It was then:

RESOLVED

That authority be delegated to the Head of Assets, in consultation with the Section 151 Officer and Leader of the Council, to progress and conclude detailed negotiations of the lease renewal for a term in excess of 15 years.

(Meeting commenced at 9.30 am and concluded at 11.20 am)

Chairman

(NOTE: THESE DECISIONS, WITH THE EXCEPTION OF MINUTES E.33/22 (PARTS 7 &8) AND E.34/22 (PART 1 (i-iv)) (WHICH ARE RECOMMENDATIONS TO THE COUNCIL MEETING TO BE HELD ON 22 SEPTEMBER 2022 (FOR MINUTE E.33/22 PARTS 7&8) AND THE COUNCIL MEETING TO BE HELD ON 15 DECEMBER 2022 (FOR MINUTE E.34/22 PART 1) WILL BECOME EFFECTIVE FROM 5.00PM ON MONDAY, 3 OCTOBER 2022 UNLESS CALLED IN, IN ACCORDANCE WITH SCRUTINYPROCEDURE RULES).

**MINUTES OF THE MEETING OF
THE SALCOMBE HARBOUR BOARD
HELD AT CLIFF HOUSE, SALCOMBE, ON MONDAY, 26 SEPTEMBER 2022**

| Members in attendance | | | |
|------------------------------|--------------------------|-------------------------------|-----------------|
| * Denotes attendance | | ∅ Denotes apology for absence | |
| * | Cllr J Brazil (Chairman) | * | Mr P Brown |
| * | Cllr D Brown | * | Ms A Jones |
| * | Cllr R J Foss | * | Mr A Owens |
| * | Cllr M Long | ∅ | Mr C Plant |
| | | ∅ | Mr I Shipperley |
| | | * | Mr I Stewart |

Other Members in attendance and participating:
Cllr H Bastone

| Item No | Minute Ref No below refers | Officers in attendance and participating |
|------------------|----------------------------|---|
| All agenda items | | Director of Place & Enterprise; Salcombe Harbour Master; Deputy Harbour Masters; Deputy Section 151 Officer and Democratic Services Manager |

SH.12/22 APOLOGIES FOR ABSENCE
It was noted that apologies for absence for this Board Meeting had been received from Messrs Plant and Shipperley.

SH.13/22 URGENT BUSINESS
There were no items of urgent business raised at this meeting.

SH.14/22 DECLARATIONS OF INTEREST
Members were invited to declare any interests in the items of business to be considered during the course of the meeting, and the following was made:

Messrs Owens and Stewart and Ms Jones each declared a disclosable pecuniary interest in all related agenda items by virtue of paying harbour duties. As a result of the Deputy Monitoring Officer having granted each Board Member a dispensation, they were able to take part in the debate and vote on any related matters (Minute SH.05/22 refers).

SH.15/22 PUBLIC QUESTION TIME
In accordance with the Public Question Time Procedure Rules, there were no Questions raised at this Board Meeting.

SH.16/22 FEEDBACK FROM HARBOUR COMMUNITY FORUMS
The Board received verbal update reports from those Members who attended the Harbour Community Forums. The updates were given as follows:

Salcombe Kingsbridge Estuary Conservation Forum (SKECF)

The Board noted that the next meeting of the Forum was due to be held on 18 October 2022.

In discussion, specific reference was made to a siltation project query and it was agreed that this should be discussed with the Harbour Master and the Kingsbridge Town Council Clerk outside of this Board Meeting.

Working in partnership with the Environment Agency, it was noted that there was a desire to establish a Steering Group to monitor water quality in the Estuary. Finally, the representative committed to sending additional information that had been produced by the Environment Agency in relation to water quality to all Board Members following this Meeting

South Devon & Channel Shellfishermen

The representative advised that the Shellfishermen had experienced a positive summer and were generally content.

Whilst a Central Government issue, there were still barriers regarding the transportation of crab to China.

Finally, the Shellfishermen were taking every step possible to minimise the impact of noise in the local area.

Kingsbridge and Salcombe Marine Business Forum

The representative informed that:

- the businesses were working well together and communications and the commitment to work together and support one another were very positive;
- whilst the Harbour Master was already aware of the viewpoint, the Forum felt that the toilet and shower facilities at Whitestrand were sub-standard;
- the dramatic increases in fuel costs were having a detrimental impact on businesses; and
- the Forum wished to pass on its thanks to the Harbour Authority for helping to facilitate an excellent summer.

Kingsbridge Estuary Boat Club (KEBC)

The Board noted that there were two key themes arising from the Boat Club. These were summarised as follows:

1. There being some desire amongst members of the Club for the provision of temporary berths at Kingsbridge; and
2. The Club was of the view that the Kingsbridge Slipway could be better utilised, with a specific request having been made for additional dinghy storage on the Slipway.

Whilst there was currently no provision in South Hams District Councils' Capital Programme for any works on the Slipway, the Board had a great deal of sympathy with the viewpoint that there was scope to make better use of the facility and also considered there to be significant revenue potential. As a result, the Board requested that a formal recommendation be submitted to the Executive as follows:

RESOLVED

That the Board request that, as part of its future considerations into the Council's Capital Programme, the Executive be asked to consider including a revenue generating scheme at the Kingsbridge Slipway.

East Portlemouth Parish Council

The representative confirmed that there were no issues arising from the Parish Council.

SH.17/22

2023/24 BUDGET AND FEES AND CHARGES

The Board considered a report that set out the draft Salcombe Harbour Authority budget for 2023/24 and that provided a budget forecast for 2022/23. In addition, the report also proposed the Fees and Charges for 2023/24 that would ensure that the Harbour achieved a balanced revenue budget for 2023/24.

In discussion, the following points were raised:

- (a) A Member wished to make the point that the annual practice of increasing the charges based on horsepower had been ongoing for a number of years. As a result, the Member felt that it would be timely to review this practice as part of the 2024/25 budget setting process;
- (b) Some Members commented that the lack of parking provision in the town was becoming an increased hindrance. In addition, the view was expressed that the Board should write to the Town Council requesting that, if at all possible, a Park and Ride facility should be re-established. Further solutions were suggested that included relocating permit holders. In recognition that there were a number of partner agencies involved, the Board tasked Cllr Long with facilitating a meeting between representatives from Salcombe Town Council; South Hams District Council; Devon County Council and the Harbour Board in an attempt to overcome the current parking problems;
- (c) Given the current Cost of Living Crisis, the Board commended the fact that most fees and charges were being maintained at the current 2022/23 levels;
- (d) In reply to a question, the Harbour Master informed that a benchmarking exercise had been undertaken and the proposed fees and charges compared favourably with other Harbour Authorities such as Fowey, Falmouth and Dartmouth.

It was then:

RECOMMENDED

That the Board **RECOMMEND** to Council that:

1. the proposed 2023/24 Budget (as set out within the published agenda report) be approved; and

2. with effect from 1 April 2023, the proposed 2023/24 Fees and Charges (as set out in Appendix C of the published agenda report) be approved.

SH.18/22 HARBOUR MASTER'S REPORT

A report was presented that provided the Board with an update on a number of recent issues that affected the Harbour.

In discussion, reference was made to:

- (a) there having been an increase in near misses this year. The Board noted that there were no linkages between the near misses and each occurrence had been looked at in great detail and had resulted in some good lessons being learned;
- (b) the harbour security contract. Support was expressed for the proposal to establish a Working Group of Board Members to shape the direction in which the security contract should be redesigned prior to going out to tender. The Board subsequently agreed that Messrs Owens and Stewart, Cllr Long and Ms Jones would form the Working Group.

Regarding the existing security contract, the Harbour Master informed that the decision to bring forward a presence from 9.00pm last year to 8.00pm (6.00pm during the high season) had been a resounding success. Finally, the Board recognised that instances of drink driving on the water had seemingly been more prevalent this year;

- (c) an update on the commercial units and harbour depot projects. The Board noted that the projects were unfortunately six months behind schedule and, in respect of the depot project, there was now a huge amount of input required from the Harbour Authority. Whilst the Authority was now incurring costs as a result of the delay, it was confirmed that there were penalty clauses associated with the contract. In thanking the Board for its patience and understanding, it was noted that the target date for the end of project completion was 31 October 2022.

With regard to the commercial units project, a lengthy debate ensued over the bidding process. Whilst officer assurances were given over the transparency, weighting and due diligence to be adhered to in the process, it was also recognised that demand would exceed the five available units and it was therefore inevitable that some parties would be unsuccessful and therefore disappointed;

- (d) the importance of the Duty Holder Training for Executive Members. It was noted that the vital training had been rearranged to be held on Thursday, 13 October 2022. In reply to a question, it was intended that a draft Memorandum of Understanding would be presented to the next Board meeting to be held on 14 November 2022;

- (e) the gig racing regatta capsized incident. The Board discussed the merits of insisting that gig racers in the Harbour should wear life jackets. The Harbour Master advised that opinions were divided on this matter and the Gig Club had already recognised the need to review its risk assessments. Whilst the Harbour Authority would be conducting its own review into the annual event, officers had already met with the report author and representatives from the Gig Club and the RNLI.

As a general point, the importance of ensuring that Board Members were informed of such incidents as soon as was practically possible, the Harbour Master committed to looking into the merits of setting up a Board 'what's app' messaging group for this purpose.

- (f) the use of hydrofoils in the Harbour. The Harbour Master stated that the definition of a 'vessel' was a particularly complicated area of law for which independent legal advice was currently being sought. However, officers advised that they would continue to work with those identified hydrofoil owners.

It was then:

RESOLVED

That the contents of the Harbour Master's report be noted and endorsed.

(Meeting commenced at 2:30 pm and concluded at 4:30 pm)

Chairman

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**MINUTES of the MEETING of the
OVERVIEW & SCRUTINY COMMITTEE,
Held in the Council Chamber, Follaton House, Totnes, on
THURSDAY, 29 SEPTEMBER 2022**

| Panel Members in attendance: | | | |
|-------------------------------------|---|-------------------------------|---|
| * Denotes attendance | | ∅ Denotes apology for absence | |
| * | Cllr L Austen | * | Cllr J Rose |
| * | Cllr J P Birch | * | Cllr H Reeve (substituting for Cllr Rowe) |
| * | Cllr M Chown | ∅ | Cllr R Rowe |
| * | Cllr R Foss (substituting for Cllr Spencer) | * | Cllr P C Smerdon (Vice Chairman) |
| * | Cllr S Jackson | ∅ | Cllr B Spencer |
| * | Cllr L Jones | ∅ | Cllr J Sweett |
| * | Cllr M Long (substituting for Cllr Sweett) | * | Cllr D Thomas (Chairman) |
| * | Cllr J McKay | * | Cllr B Taylor |

| Other Members also in attendance either in person or via Teams: |
|--|
| Cllrs K Baldry; H Bastone; J Hawkins; K Pringle and J Pearce |

| Item No | Minute Ref No below refers | Officers in attendance and participating |
|----------------|-----------------------------------|--|
| All | | Deputy Chief Executive; Director of Strategy & Governance; Director of Place & Enterprise (via Teams) Economic Development Officer; Democratic Services Manager; Head of Strategy, Corporate Projects & Partnerships (via Teams); and Community Digital Specialist (via Teams) |

O&S.20/22 MINUTES

The minutes of the meeting of the Overview and Scrutiny Committee (O&S) held on 21 July 2022 were confirmed as a correct record.

O&S.21/22 DECLARATIONS OF INTEREST

Members and officers were invited to declare any interests in the items of business to be considered during the course of the meeting, but there were none made.

O&S.22/22 PUBLIC FORUM

In accordance with the Public Forum Procedure Rules, the Chairman informed that no questions had been received for consideration.

O&S.23/22 BUILT & NATURAL ENVIRONMENT THEMATIC UPDATE

Following the Council's adoption of the Better Lives for All Strategy in September 2021, the Committee was provided with an update on the Built and Natural Environment strand of the Better Lives for All Strategy.

In discussion, the following points were raised:

- (a) The Build projects in Salcombe were slightly behind schedule but the completion date was expected to be before the end of the year with the Business Units currently being out to Tender. Whilst not in a position to predict the tendering process, the local wish (and demand) for these Units to be secured by businesses connected to the marine industry was recognised;
- (b) With regard to Action BN1.1 (Supporting the Delivery of Neighbourhood Plans), it was confirmed that the Council was doing all it could to resolve the issue with the wish to modify the Salcombe Neighbourhood Plan, however the delay lie with the Planning Inspector. In response to a further question regarding whether the Committee could be advised of the Towns/Parishes that had not yet or were not intending to develop Neighbourhood Plans, it was confirmed that developing such plans was a matter for each Town or Parish Council (T&PC) to decide upon. As a result, the Council was always happy to encourage and facilitate the creation of Neighbourhood Plans, but could not insist that a T&PC develop one;
- (c) In respect of Action BN1.2 (Facilitate Urban Tree Planting), officers advised that the Tree Planting Plan extended into the 2023/24 Year and that officers would be asked to liaise with local Ward Members about potential planting sites in their Wards;
- (d) Referencing Action BN1.5 (Commission Work Leading to Delivery of Priority Cycle Routes and a Twenty Year Vision for the Cycle Network in the South Hams), officers informed that the Tender exercise to select the Consultants to produce the report to identify and prioritise potential cycle routes in the district would be circulated by January 2023 with a view to receiving the final report in mid 2023. This exercise was to be funded through the UK Shared Prosperity Fund monies. It was further confirmed that the consultation exercise with the public, Town and Parish Councils and with other parties, such as the Dartmoor National Park, would be fundamental to the report and the development of the Local Cycling and Walking Infrastructure Plan (LCWIP).

In response to a question about whether or not the LCWIP work would continue should the Council's latest bid to the Government for investment not be successful, it was confirmed that Devon County Council could still undertake a high level exercise which would likely result in a lower level of local engagement, but that it would still be a matter for this Council to decide whether it wished to make the funding available for the exercise as part of its Better Lives for All Corporate Strategy;

- (e) On the matter of Action BN1.6 (Work to Facilitate the Delivery of Broadband Connectivity Where it is Needed – Supporting Digital Infrastructure for the Future), it was noted that contracts to install Fibre Broadband within the District were not held with the Council but were national contracts and as such it was almost impossible to gather information from the suppliers about their installation plans but that the Council was doing its utmost to facilitate the work and inform local residents about the progress of the installation. A Member highlighted that the text of this Action within the Thematic Update document might imply that the Council had responsibility for, or control over, the Fibre installation programme and suggested that making a revision to the wording would help to clarify the Council's position. It was agreed that the text would be amended for the next iteration of this Delivery Plan.

In addition, since a number of local authorities in the County were experiencing similar problems, the suggestion was made that the item be added to the agenda of the forthcoming Devon Districts Forum meeting, which was attended by the Leader of Council, following which any affected Councils could approach Devon County Council with a joint request for improved engagement with the both the installation providers and Connecting Devon and Somerset. The Committee subsequently expressed its support for this course of action.

In concluding the item it was **PROPOSED, SECONDED**, and at the subsequent vote, **AGREED** that the Recommendation be amended to take account of the actions that the Leader of Council and Assistant Director for Strategy and Projects had committed to undertaking during the debate.

It was then:

RESOLVED

That the Overview and Scrutiny Committee note the progress made against the Better Lives for All thematic delivery plan for Built & Natural Environment and request that the Leader of Council and Assistant Director for Strategy and Projects take into account and action the comments raised during the debate.

O&S.24/22 PERFORMANCE MANAGEMENT REPORT

Members were advised that, in error, the published agenda report did not adequately reflect performance nor provide sufficiently detailed information to merit being considered at this meeting and as such it was agreed that this item should be deferred to the next Committee meeting (to be held on 3 November 2022) for further consideration.

O&S.25/22 TASK AND FINISH GROUP UPDATES**(a) Electric Vehicle Charging**

In advance of the forthcoming inaugural meeting of the Electric Vehicle Charging Task and Finish Group, Members commented on the value of a recent Webinar on the subject which had provided useful anecdotal experience from other local authorities across the country and which provided helpful suggestions on what aspects of the topic the Task and Finish Group should examine.

O&S.26/22 ANNUAL WORK PROGRAMME 2022/23**(a) Formal Request from Cllr Birch**

Cllr Birch outlined the reasons for his request that the Overview and Scrutiny Committee examine the Council's recently closed Lybridge Regeneration Project, but added that, in view of the fact that this item was being considered at the forthcoming meeting of the Audit and Governance (A&G) Committee, he would recommend that a decision not be taken as to if or when this item would be added to the O&S Committee Work Programme until after the A&G Committee had concluded its work.

The remaining matters on the draft annual work programme for the 2022/23 year were reviewed and the amendments to the scheduling of issues approved by the Committee.

(Meeting started at 2.00 pm and concluded at 2.55 pm)

Chairman

MINUTES of the **MEETING OF THE DEVELOPMENT MANAGEMENT COMMITTEE**
held in the **COUNCIL CHAMBER, FOLLATON HOUSE, TOTNES**, on **WEDNESDAY,**
5 October 2022

| Members in attendance | | | |
|------------------------------|--|---|--|
| * Denotes attendance | | | |
| ∅ Denotes apologies | | | |
| * | Cllr V Abbott | * | Cllr M Long |
| ∅ | Cllr J Brazil | * | Cllr G Pannell |
| ∅ | Cllr D Brown | ∅ | Cllr K Pringle |
| * | Cllr R J Foss (Chairman) | * | Cllr H Reeve |
| * | Cllr J M Hodgson | * | Cllr R Rowe (Vice Chair) |
| ∅ | Cllr K Kemp | * | Cllr B Taylor |
| * | Cllr K Baldry (substituting for Cllr J Brazil) | * | Cllr B Spencer (substituting for Cllr K Pringle) |
| * | Cllr P Smerdon (substituting for Cllr D Brown) | | |

Other Members also in attendance and participating:
Cllr J Pearce

Officers in attendance and participating:

| Item No: | Application No: | Officers: |
|------------------|-----------------|---|
| All agenda items | | Head of Development Management, Senior Specialists, Specialists and Senior Case Manager – Development Management; Monitoring Officer; Environmental Health Officer; IT Specialists; and Democratic Services Officer |

- DM.31/22 MINUTES**
The minutes of the meeting of the Committee held on 7 September were confirmed as a correct record by the Committee.
- DM.32/22 DECLARATIONS OF INTEREST**
Members and officers were invited to declare any interests in the items of business to be considered and the following were made:
- Cllr R Foss declared a Disclosable Pecuniary Interest in application 6(d) (minutes DM.34/22 (d) below refer) because the applicant to known to him. The Member left the meeting and did not take part in the debate or vote.
- DM.33/22 PUBLIC PARTICIPATION**
The Chairman noted the list of members of the public, Town and Parish Council representatives, and Ward Members who had registered their wish to speak at the meeting.
- DM.34/22 PLANNING APPLICATIONS**

The Committee considered the details of the planning applications prepared by the Planning Case Officers as presented in the agenda papers, and considered also the comments of Town and Parish Councils, together with other representations received, which were listed within the presented agenda reports, and **RESOLVED** that:

**6a) 3027/21/FUL "Vineyard North of Lower Aunemouth", Bantham
Parish: Thurlestone**

**Development: Temporary installation of two rows of Paraweb Fencing to
protect planted Windbreaks**

Case Officer Update: The Case Officer reported that this application was approved by the Committee on 7 September 2022. However, member's agreement to amend the wording of the reason for condition 6 was not secured. The purpose of bringing the application back to committee is to secure such approval.

Recommendation: Conditional approval.

Committee decision: Conditional approval.

Conditions: 1) Time limit
 2) Approved drawings
 3) Ecology recommendations
 4) Nesting birds
 5) Planting
 6) Temporary condition / removal after five years

**6b) 1614/21/VAR "Brutus Centre", Fore Street, Totnes
Parish: Totnes**

**Development: Application for variation of condition 2 (approved plans) of
planning consent 2560/21/FUL**

Case Officer Update: The Case Officer reported this is a variation of previously approved application which includes a contentious amendment for the addition of a substation. Objections received from residents regarding the impact of noise and public health. No objections from environmental health and Western Power can build a substation under permitted development if this application is refused.

Members raised concerns on the proximity of the substation to dwellings and whether the substation could be located in a different area. Questions were raised with regard to Western Power installing the substation if application refused.

Speakers included: Objector – Isabel Carlisle; Ward Member – Cllr J Birch.

The Ward Member raised concerns on the health impact of this application and the non-compliance of DEV1 and DEV2. Outlined in DEV1 it states 'ensuring new development provides for protection of noise for new and existing residents'. The application lacked evidence to support health and environmental impacts and requested that this application is deferred. A deferment will allow Members to undertake a site visit, for a health impact assessment to be produced and response from environmental health.

In response to questions raised, the Head of Development Management reported that it would be a judgement for members on whether they can defend a refusal on what can be done under permitted development.

The Environmental Health Officer reported that they had previously worked on a development with the same scenario of a substation located next to an existing property. The substation was not encased in a brick structure which caused night time vibrations felt by residents. This resulted with the equipment being mounted on vibration pads and encased in a brick structure. This resolved the issues. What has been proposed here is the solution that has been used elsewhere.

Some Members still had concerns on noise and impact on residents and moved for the application to be deferred.

A vote was taken to defer the application. The vote was lost.

During the debate Members raised that if this application was refused, Western Power will build the substation, however if we approve will have some control over the build and can include conditions to further reduce impact to residents.

Head of Development Management requested a 5 minute adjournment to formulate the wording of the condition.

The additional condition to include that no work shall be undertaken in connection with the provision of the substation or building to house it until the details of the equipment being installed being submitted to and approved by the local planning authority and to include noise and vibration mitigation. The installation to be in accordance with the approved details.

Recommendation: Conditional Approval

Committee decision: Conditional approval

**6c) 2013/22/FUL 20 Buckwell Road, Kingsbridge
Parish: Kingsbridge**

Development: Erection of new dwelling (Re-submission of 0536/22/FUL)

Case Officer Update: The Case Officer explained the parking arrangements following concerns raised by Members at the site visit. At the site visit the 3 neighbouring properties and the topography of the area were shown to

members. The neighbouring property in Allotment Gardens was viewed at the site visit and the dwelling will be visible from neighbouring property but not considered to have a harmful impact.

In response to questions raised by Members, the Case Officer reported:

- Parking provision was adequate for this dwelling;
- Tree protection to be agreed before commencement.

Speakers included: Objector – Catherine Palmer; Supporter – Amanda Burden; Ward Member – Cllr O’Callaghan.

Members sought clarification on the height of hedges and it was reported that high hedges should be kept below 9 meters and the proposed dwelling would be higher than the hedge.

The Ward Member highlighted the affordable housing crisis in Kingsbridge and was extremely supportive of people in this situation, however needed to be mindful of the planning rules and regulations. The loss of the light for the neighbouring property in Allotment Gardens with new dwelling should be at a distance of 15 meters and not 13 meters. The council have asked for the trees/hedges to be reduce which might affect the privacy of properties in Marco Gardens. Parking in Kingsbridge is a big issue and this additional dwelling with additional parking needs would add to the problem.

During the debate, Members supported the application and felt this helped the housing crisis but also accepted the impact on residents. Members also raised the neighbourhood plan and the impacts of back garden developments and principle residency.

The Head of Development Management requested an adjournment to review the Neighbourhood Plan for Kingsbridge.

Following the adjournment, it was reported it that they couldn’t source the right policy that covered principle residency, however, spoke with the applicant and they are happy to have a principle residency condition added.

Members requested for a landscaping condition to be added and it was reported that no boundary fencing to be erected without detailed plan being approved.

Recommendation: Conditional Approval

Committee decision: Conditional Approval

Conditions: Standard time limit Accord with plans
Tree protection measures (pre-commencement)
Construction Management Plan (pre-commencement)
Removal of permitted development rights
Natural slate

Details of external lighting to be submitted
Accord with recommendations of ecology survey
Drainage details to be submitted
Parking area to be installed prior to occupation of dwelling

6d) 3503/21/ARM "Gerston Gate Barn", Gerston Lane, West Alvington Parish: West Alvington

Development: Application for approval of reserved matters following outline approval 1655/19/OPA (for provision of an agricultural worker's dwelling)

This application was Chaired by Cllr Rowe.

Case Officer Update: The Case Officer reported this was a reserved matters planning application for an agricultural dwelling. There is a need for agricultural worker on the site however the Agricultural Consultant raised concerns on the size of the residential floor space. The size of the holding in relation to the plan needs to be commensurate with the site.

In response to questions raise, the Case Officer reported:

- The application lacked the justification for the additional floor space;
- The design features were in keeping with the local surroundings;
- This application is not about personal needs and the dwelling to be a size commensurate to that need;

Speakers included: Supporter – Andrew Lethbridge; Ward Members – Cllrs Long and Pearce.

The supporter reported that the dwelling cladding and windows will be in keeping with the local surroundings. In the future this dwelling would be the main farmhouse running the operation at Gerston Gate.

The Ward Member raised that there isn't a policy which sets out particular sizes for rural workers dwellings this cannot be challenged. This is for a principle farmhouse and there is a need for farm workers to have dwellings in this area and our policies do not address this and the two areas for refusal can be challenged.

The Monitoring Officer reminded the Ward Member to avoid giving a fixed view and to have an open mind. The Ward Member responded that he was not a farming person and was challenging the elements of design that he felt needed to be raised and challenged.

The Ward Member reported that the policy is clear on the functional need of the holding rather than the need of the people. The farmhouse goes beyond that functional need and agreed with the officer's recommendation. If this was appealed would be interested to see the outcome.

During the debate, Members raised that the applicant already had an approved dwelling and now wants to extend unreasonably in a protected area. It was important to take notice of the comments made by the agricultural consultant, however some Members felt that a dwelling of this size was warranted and to have a clear policy for agricultural dwellings to be built that are efficient and effective to bring up a family. Whether this was commensurate was subjective and a balance.

Recommendation: Refuse

Committee decision: Refuse

**6e) 3235/21/FUL "Harwood Farm", Salcombe Road, Malborough.
Parish: Malborough**

Development: New Residential Dwelling

Case Officer Update: The Case Officer reported this is a full planning application for a dwelling for agriculture worker on site. This application has been refused because of the applicant's failure to demonstrate carbon reduction, foul drainage, principle residency, the size of the development and visual impact on the protected landscape.

In response to questions raised, the Case Officer reported:

- The new dwelling would replace the temporary dwelling currently on site;
- Planning permission would not be granted until all technical issues resolved.

Speakers included: Supporter – Alex Brazier; Parish Councillor – Cllr Sampson; Ward Members – Cllrs Long and Pearce.

The supporter reported that:

- The structural work would be undertaken by competent people and internal work completed by the applicant;
- They were looking to expand the business however sourcing more land was difficult;
- The house will be lower than the ridge height of the barn;
- Information on air source was not included in the plan but will form part of the build;
- The applicant was willing to consider principle residence.

The Ward Member reported that this is the same as the previous application but holding smaller and again bear in mind the functional need of the dwelling and support the officer recommendation to refuse.

The Ward Member reported that there is a functional need for a farmhouse but need a clear policy on this. This application has been live for a year and no changes and issues raised with the applicant. There is a need and yet there are conflicts in policy and requirements.

The Head of Development Management responded that this application with us longer than should have been. From a planning enforcement perspective an agricultural dwelling justified on this site and will not take any action on the temporary dwelling and an extension will be recommended for approval.

During the debate, Members raised there is clearly a need for the dwelling but not this application. However some Members supported the application and the need to support farming families.

Recommendation: Refuse

Committee decision: Refuse

DM.35/22 **PLANNING APPEALS UPDATE**

Members noted the list of appeals as outlined in the presented agenda report.

DM.36/22 **UPDATE ON UNDETERMINED MAJOR APPLICATIONS**

Members noted the update on undetermined major applications as outlined in the presented agenda report.

(Meeting commenced at 9:30 am. Meeting concluded at 13:51 pm, with an adjournment at 10:33 am and 11.32 am)

Chairman

Voting Analysis for Planning Applications – DM Committee 5th October 2022

| <i>Application No:</i> | <i>Site Address</i> | <i>Vote</i> | <i>Councillors who Voted Yes</i> | <i>Councillors who Voted No</i> | <i>Councillors who Voted Abstain</i> | <i>Absent</i> |
|------------------------|---|----------------------|---|---|--------------------------------------|-------------------------|
| 3027/21/FUL | "Vineyard North of Lower Aunemouth", Bantham | Conditional Approval | Cllrs Abbott, Baldry, Foss, Hodgson, Long, Pannell, Reeve, Rowe, Smerdon, Spencer and Taylor (11) | | | Cllr Kemp (1) |
| 1614/21/VAR | "Brutus Centre", Fore Street, Totnes | Deferral | Cllrs Baldry, Hodgson and Long (3) | Cllrs Abbott, Foss, Pannell, Reeve, Rowe, Smerdon, Spencer and Taylor (8) | | Cllr Kemp (1) |
| 1614/21/VAR | "Brutus Centre", Fore Street, Totnes | Conditional Approval | Cllrs Abbott, Foss, Long, Pannell, Reeve, Rowe, Smerdon, Spencer and Taylor (9) | Cllr Hodgson (1) | Cllr Baldry (1) | Cllr Kemp (1) |
| 2583/22/FUL | 20 Buckwell Road, Kingsbridge | Conditional Approval | Cllrs Abbott, Baldry, Foss, Hodgson, Long, Pannell, Reeve, Rowe, Smerdon, Spencer and Taylor (11) | | | Cllr Kemp (1) |
| 3583/21/ARM | "Gerston Gate Barn", Gerston Lane, West Alvington | Refuse | Cllrs Baldry, Pannell, Smerdon, Spencer and Taylor (5) | Cllrs Abbott, Hodgson, Long and Reeve (4) | Cllr Rowe (1) | Cllrs Foss and Kemp (2) |
| 3235/21/FUL | "Harwood Farm", Salcombe Road, Malborough. | Refuse | Cllrs Abbott, Baldry, Foss, Pannell and Spencer (5) | Cllrs Hodgson, Long and Reeve and Smerdon (4) | Cllr Rowe and Taylor (2) | Cllr Kemp (1) |

**MINUTES OF A MEETING OF
THE EXECUTIVE
HELD IN THE COUNCIL CHAMBER ON THURSDAY 13 OCTOBER 2022**

| | | | |
|---------------------------------|----------------------------------|---|----------------------------|
| Members in attendance: | | | |
| * Denotes attendance | | | |
| ∅ Denotes apologies for absence | | | |
| * | Cllr K J Baldry | * | Cllr T R Holway |
| * | Cllr H D Bastone (Vice Chairman) | * | Cllr N A Hopwood |
| ∅ | Cllr J D Hawkins | * | Cllr J A Pearce (Chairman) |

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| <p>Non-Executive Members also present either in person or remotely for all or part of the meeting:</p> <p>Cllrs Abbott, Brazil, Foss, O’Callaghan, Reeve, Smerdon, Spencer, Sweett, Taylor and Thomas</p> |
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| | | |
|--|--|--|
| Officers in attendance and participating: | | |
| All items | | Chief Executive: Director of Strategy & Governance; Director of Place & Enterprise; Section 151 Officer; Monitoring Officer; Democratic Services Manager; Head of Revenues and Benefits; Head of Housing; Deputy Section 151 Officer; Head of Strategy, Corporate Projects and Partnerships |

E.40/22 MINUTES

The minutes of the Executive meeting held on 21 September 2022 were confirmed as a true and correct record.

E.41/22 DECLARATIONS OF INTEREST

Members and officers were invited to declare any interests in the items of business to be considered during the course of this meeting, but there were none made.

E.42/22 PUBLIC QUESTION TIME

The Leader informed that no public questions had been received in accordance with the Executive Procedure Rules.

E.43/22 EXECUTIVE FORWARD PLAN

Members were presented with the most recently published version of the Executive Forward Plan that set out items on the agenda for Executive meetings for the next four months and duly noted its contents.

E.44/22 COST OF LIVING RESPONSE PLAN

The Executive considered a report that set out the Council's draft plan to respond to the Cost of Living crisis.

In the ensuing discussion, it was highlighted that the Council had a range of help and energy saving tips available to support families and it was recognised that these needed to be promoted as widely as was practically possible.

It was then:

RESOLVED

1. That the Cost-of-Living Response Plan (as set out in Appendix 1 of the presented agenda report) be endorsed;
2. That any minor amendments required to the Cost-of-Living Response Plan be delegated to the lead officer (the Head of Housing and Lead Officer for Cost of Living), in consultation with the lead Executive Member; and
3. That officers be instructed to take immediate steps to progress support payments to families in receipt of Council Tax reduction (as set out in paragraph 2.12 of the presented agenda report).

E.45/22 KEY PARTNERSHIPS FUNDING

Members were presented with a report that provided an update on the Partnerships currently receiving funding from the Council and were asked to consider the merits of extending funding for a further two years.

In the ensuing discussion, the following points were raised:

- a) In reply to a question, a local Ward Member was encouraged to instruct the Ivybridge Museum to sign up to the South West Museum Development Trust. In addition to providing guidance and support, a further benefit of the Trust was that it was able to source and draw down additional external funding;
- b) A Member specifically welcomed the proposal to continue to financially support the Ivybridge Ring and Ride organisation. In so doing, the Member felt that the organisation carried out a vital role to many constituents in the western part of the South Hams;

- c) A Member expressed his disappointment over the work of the South Devon Area of Outstanding Natural Beauty (AONB) Unit, particularly regarding the timing (and often lack) of written reports being submitted to the Council's Development Management (DM) Service on relevant planning applications. The Member proceeded to question the value for money that was being received by the Council for its annual funding contribution. In reply, some other Members felt this criticism to be harsh and it was acknowledged that the additional grant funding proposed would help to fund a post within the AONB Unit to support the DM function. At this point, an addition to recommendation 3 was **PROPOSED** and **SECONDED**. The addition sought to add that the proposed Service Level Agreement with the South Devon AONB should be agreed by the Executive prior to the approval of the funding extension. When put to the vote, this addition was declared **CARRIED**.

It was then:

RESOLVED

1. That the positive contribution of the Council's key funded partners in supporting our ambitions as set out in our Corporate Strategy, Better Lives for All, be noted;
2. That Council be **RECOMMENDED** to agree to extend the funding for the following key partners for a further two years as follows:
 - SW Museum Development Trust - £4,000;
 - Iybridge Ring and Ride - £5,710; and
 - South Hams CVS - £10,000;
3. That Council be **RECOMMENDED** to agree an increase in funding for each of the next two years in recognition of additional activities being delivered for the following partners:
 - Citizens Advice South Hams – £70,867 (an increase of £10,000 per annum funded from Covid-19 vulnerability grant underspend);
 - South Devon AONB - £28,749 (an increase of £8,000 per annum), *subject to* a Service Level Agreement (being prior agreed by the Executive) in respect of focused support to meet the demand of South Hams District Council Development Management Service; and
4. That officers be required to work with Newton Abbot Ring and Ride to request further information about the service provided within the district and, if appropriate, then consider an updated application.

E.46/22 PROPOSED CHANGES TO THE COUNCIL TAX REDUCTION SCHEME FOR 2023/24

Members were presented with a report that set out the annual requirement for Councils to revisit their existing council tax support scheme and decide whether to replace or revisit their scheme, the requirements for changing the scheme and the associated time constraints.

In discussion, Members were supportive of the planned changes to the Scheme. However, Members also recognised that this was a particularly complex area to grasp and, in recognition of their Community Leadership role coupled with the extreme difficulties being suffered by residents as a result of the cost of living crisis, it would be very useful to arrange an all Member Briefing session on this subject matter in the upcoming weeks.

Whilst all major precepting authorities (e.g. Devon County Council and the Fire and Police authorities) would be consulted on the proposed Scheme for 2023/24, the Section 151 Officer confirmed that she had already held informal discussions with colleagues at Devon County Council.

It was then:

RESOLVED

1. That the proposed public consultation on a Council Tax Reduction Scheme for 2023/24 (as detailed in section 3 of the presented agenda report), be approved; and
2. That the results of the public consultation be presented to the Executive prior to a Council Tax Reduction Scheme for 2023/24 being considered for approval by the Council.

E.47//22 COVID-19 ADDITIONAL RELIEF FUND (CARF)

The Executive was presented with a report that provided an update on the Council's Covid-19 Additional Relief Fund (CARF) following the closure of the Scheme on 30 September 2022. The report acknowledged that the Council had delegated the approval of the CARF Policy and its administration to the Members of the Council's Rate Relief Panel.

In discussion, whilst the data protection implications were recognised, a Member asked if he could be sent the list of businesses that had received rate relief through the CARF Scheme.

It was then:

RESOLVED

That the content of the presented agenda report be noted

E.48/22 MONTH 5 REVENUE BUDGET MONITORING 2022/2023

A report was considered that enabled Members to monitor income and expenditure variations against the approved budget for 2022/23 and that also provided a forecast for the year end position.

In the ensuing discussion, reference was made to

- (a) the impact on the revenue budget of the Waste Service being brought back into the Council's control. It was confirmed that this would be addressed as part of the update report that is to be presented to the Executive at its 1 December 2022 meeting;
- (b) the instances where car parking meters had needed to be repaired, which was resulting in a loss of car parking income. A Member cited a number of examples where meters were not working for a short period across the district. In reply, the Leader thanked the Member for raising this issue and gave a commitment to keep this matter under review. As a general point, the Section 151 Officer advised that she would provide a response to Members outside of the meeting regarding the proportion of transactions that were paid via the RingGo facility.

It was then:

RESOLVED

That the forecast income and expenditure variations for the 2022/23 financial year and the overall projected deficit of £54,000 (0.5% of the total Budget £10.464 million), be noted.

E.49/22 CAPITAL PROGRAMME MONITORING 2022/23

The Executive considered a report that advised of the progress made on individual schemes within the approved Capital Programme, including an assessment of their financial position.

In discussion, the addition of photographs and visuals to the published agenda report to illustrate the development of the Capital projects was commended.

It was then:

RESOLVED

That the content of the Capital Programme Monitoring Report be noted

E.50/22 **HOUSING CRISIS UPDATE**

The Executive was presented with a report that provided an update on two specific elements of the Council's work on the Housing Crisis, relating to progress made in relation to two council owned sites in Kingsbridge and also the recommendations of the now concluded Housing Task and Finish Group.

The Leader introduced this agenda item and, in referring to section 2.3.2 of the published agenda report, wished to put on record her apologies if this paragraph gave the wrong impression that Kingsbridge Town Council was the sole reason for the deferral of the previous planning application.

In discussion the following points were raised:

- (a) Whilst the challenges associated with the delivery of affordable housing continued (and were further exacerbated by the cost of living crisis), the proposed expressions of interest exercise that was set out in the published agenda report was welcomed as a potentially good way forward for these two Council owned sites. Furthermore, the ongoing commitment to dialogue with both the local Ward Members and Kingsbridge Town Council was also welcomed;
- (b) The Members of the Housing Task & Finish Group were thanked for the information that they had gathered and their hard work undertaken during the recent Review.

It was then:

RESOLVED

1. That to further understand the opportunities to bring forward affordable led housing schemes in Kingsbridge, the commencement of an Expressions of Interest exercise be approved; and
2. That the work of the Overview and Scrutiny Housing Task and Finish Group (and the recommendations set out in Section 4 of the presented agenda report) be noted

(Meeting commenced at 9.30 am and concluded at 10.30 am)

Chairman

(NOTE: THESE DECISIONS, WITH THE EXCEPTION OF MINUTES E.45/22 (PARTS 2 & 3) (WHICH ARE RECOMMENDATIONS TO THE COUNCIL MEETING TO BE HELD ON 15 DECEMBER 2022) WILL BECOME EFFECTIVE FROM 5.00PM ON MONDAY, 24 OCTOBER 2022 UNLESS CALLED IN, IN ACCORDANCE WITH

SCRUTINY PROCEDURE RULES)

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**MINUTES OF A MEETING OF THE AUDIT AND GOVERNANCE COMMITTEE
 HELD IN THE COUNCIL CHAMBER, FOLLATON HOUSE, PLYMOUTH ROAD,
 TOTNES ON THURSDAY, 20 OCTOBER 2022**

| Members in attendance | | | |
|-------------------------------|--------------------------|---|--------------------------------|
| * Denotes attendance | | | |
| ∅ Denotes apology for absence | | | |
| * | Cllr L Austen (Chairman) | * | Cllr R Rowe |
| * | Cllr J Brazil | * | Cllr B Spencer (Vice-Chairman) |
| * | Cllr J McKay | * | Cllr B Taylor |
| ∅ | Cllr J T Pennington | | |

| Member(s) also in attendance: |
|---|
| Cllrs H D Bastone; N Hopwood (via Teams) and J Pearce |

| Item No | Minute Ref No below refers | Officers and Visitors in attendance |
|----------------|-----------------------------------|---|
| All Items | | Director of Strategy and Governance; Section 151 Officer; Head of Finance; Democratic Services Manager (via Teams); Audit Specialist (via Teams), External Auditor (via Teams) and Senior Case Manager (Democratic Services). |

AG.19/22 MINUTES

The minutes of the Audit and Governance Committee meeting held on 8 September 2022 were confirmed as a true and correct record.

AG.20/22 DECLARATIONS OF INTEREST

Members and officers were invited to declare any interests in the items of business to be considered during the course of the meeting, but none were made.

AG.21/22 GRANT THORNTON AUDIT PROGRESS REPORT AND SECTOR UPDATE

The Committee considered a paper from Grant Thornton that provided a progress update on delivering their responsibilities as the Council's External Auditors.

In discussion, a Member sought clarification on the Auditing, Reporting and Governance Authority (ARGA) and it was reported that following the Redmond review ARGA's aim was to simplify the auditing framework. It was further reported that there was a requirement for Audit Committees to include one independent member when the new regulations were adopted.

It was then:

RESOLVED

That the contents of the Grant Thornton Audit Progress Report and Sector Update be noted.

AG.22/22 **IVYBRIDGE REGENERATION SCHEME - PROJECT CLOSURE REPORT**

Members considered a closure report that reviewed the chronology of the reporting, internal governance, stakeholder engagement and planning undertaken during the Ivybridge Regeneration Project.

In discussion, a Member queried if there was an opportunity for future high streets funding and it was reported that the bid for high street funding was unsuccessful. Members then debated how decisions were made in relation to this project and that a report was only presented to the Audit Committee on one previous occasion. Members also discussed that at the start of this project there was majority community support but when the plans were published, support turned into objections. Members also felt that rising costs in construction would have impacted on the project if planning permission had been granted by the Development Management Committee.

Members felt that public engagement on major projects was crucial and **PROPOSED** and **SECONDED** to include a timeframe on recommendation two.

It was then

RESOLVED

- 1) that the project closure report be noted; and
- 2) that a planning protocol be adopted for major projects, with a final draft of the protocol being presented to the Committee within the next six months for approval..

AG.23/22 **OMBUDSMAN ANNUAL REVIEW LETTER**

A report was considered that presented the Ombudsman Annual Review Letter for 2021.

It was then:

RESOLVED

1. That the Ombudsman's Annual Letter for 2021 as attached at Appendix A of the presented report, has been reviewed; and
2. That the steps set out to ensure that the Council continued to address complaints fairly and in line with best practice, be noted

AG.24/22 SUNDRY DEBT

Consideration was given to a report that provided Members with an update of the position with regard to Sundry Debt.

In discussion, a Member raised the substantial amount of debt which was over 4 years old and it was reported that the Asset Team were making every effort to recover remaining debts with payment plans. Members raised whether some of these debts were economical to pursue and requested for further reports to be provided to the Committee in January and March.

It was then:

RESOLVED

That the position in relation to Sundry Debt be noted.

AG.25/22 AUDIT & GOVERNANCE COMMITTEE WORKPLAN 2022-23

Members were presented with the latest version of the Committee Work Programme and noted its contents.

RESOLVED

That a report on Sundry Debt be added to the workplan for January 2023 and March 2023 and that the Planning Protocol for Major Projects be added to the workplan for March 2023

(Meeting commenced at 2:00pm and concluded at 3.25 pm)

Chairman

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**MINUTES of the MEETING of the
OVERVIEW & SCRUTINY COMMITTEE,
Held in the Council Chamber, Follaton House, Totnes, on
THURSDAY, 3 NOVEMBER 2022**

| Panel Members in attendance: | | | |
|-------------------------------------|--|-------------------------------|----------------------------------|
| * Denotes attendance | | ∅ Denotes apology for absence | |
| ∅ | Cllr L Austen | * | Cllr J Rose |
| * | Cllr J P Birch | * | Cllr R Rowe |
| * | Cllr M Chown | * | Cllr P C Smerdon (Vice Chairman) |
| * | Cllr R Foss (substituting for Cllr Austen) | * | Cllr B Spencer |
| * | Cllr S Jackson | * | Cllr J Sweett |
| * | Cllr L Jones | * | Cllr D Thomas (Chairman) |
| * | Cllr J McKay | * | Cllr B Taylor |

| Other Members also in attendance either in person or via Teams: |
|--|
| Cllrs K Baldry; H Bastone; J Hawkins; T Holway; K Pringle and J Pearce |

| Item No | Minute Ref No below refers | Officers in attendance and participating |
|---------|----------------------------|---|
| All | | Deputy Chief Executive; Director of Strategy & Governance; Director of Place & Enterprise; Democratic Services Manager; Head of Strategy, Corporate Projects & Partnerships (via Teams); Customer Service Improvement Manager (via Teams); Specialist – Leisure; Devon Building Control Partnership Representative and Fusion Leisure Representatives |

O&S.27/22 MINUTES

The minutes of the meeting of the Overview and Scrutiny Committee (O&S) held on 29 September 2022 were confirmed as a correct record.

O&S.28/22 DECLARATIONS OF INTEREST

Members and officers were invited to declare any interests in the items of business to be considered during the course of the meeting, but there were none made.

O&S.29/22 PUBLIC FORUM

In accordance with the Public Forum Procedure Rules, the Chairman informed that no questions had been received for consideration.

O&S.30/22 DEVON BUILDING CONTROL PARTNERSHIP

The Deputy Leader (who was also one of the Council's appointed representatives on the Devon Building Control Partnership (DBCP) Committee) introduced Mr Nigel Hunt, Head of the DBCP, who proceeded to provide Members with a verbal update on the work of the Partnership. In so doing, Mr Hunt made particular reference to:

- the establishment of a Strategy Board. Members were informed that a Strategy Board (comprising of Senior Directors from South Hams and West Devon and Teignbridge District Council, Accountants from the Councils; and the Head of DBCP) had recently been established which, in conjunction with the DBCP Committee, set the strategic direction for the provision and operation of the Building Control Service;
- the service being a statutory one. It was noted that the Partnership provided a statutory service, with its main role being to ensure that the local authorities within the Partnership completed both their statutory and regulatory duties in a timely manner with regard to the Building Control function;
- the service operating in a competitive market. Whilst providing a public service, Mr Hunt pointed out the Partnership was operating in a competitive market against private sector companies that were providing the same service. As a result, it was vital that the Partnership was competitive both in terms of cost and quality of service. When questioned, Mr Hunt confirmed that 80% of the service was self-financing, with the remaining 20% funded through the three partner local authorities;
- the Council's declared Climate Change and Biodiversity Emergency. In terms of future direction for the Partnership, Mr Hunt recognised that there was a need to be increasingly engaged with the Council's declared Emergency.

In the ensuing discussion, the following points were raised:

- a) With regard to planning enforcement, a Member sought clarification as to whether or not DBCP had enforcement powers. In response, it was confirmed that these remained within the responsibility of the Council in its capacity as the Local Planning Authority;
- b) It was confirmed that the average market share of work secured by DBCP was 87%. This compared favourably to the national average for Local Authority Building Control services;
- c) Having sought further information on the new Building Safety Regulations, Members were advised that these were due to be implemented imminently and would have an impact on both local authorities and Building Control Partnerships.

Mr Hunt also confirmed that the new Safety Regulator would sit beneath the Health & Safety Executive and would be in control of all Building Regulations. From October 2023, all operational staff would need to be licensed to differing levels and the DBCP was well on its way to securing licences at the highest level for its staff;

- d) With regard to the Climate Change and Biodiversity Emergency, Mr Hunt confirmed that DBCP would work closely with each of its partner local authorities to ensure that each Council's specific priorities were fully considered and taken into account;
- e) Having been offered by Mr Hunt, the Committee was supportive of the suggestion for an all Member Briefing to be delivered in the future on the forthcoming Legislation and new Safety Regulations and to also provide detail of the implications of these changes upon the Council.

In closing the agenda item, the Chairman thanked Mr Hunt for his attendance and for his interesting presentation and informative responses to Member questions and wished for the thanks of the Committee to be passed on to the rest of the Building Control Team.

O&S.31/22 FUSION - BIENNIAL REPORT (TO INCLUDE HEALTH REFERRALS AND USAGE BY WARD)

The lead Executive Member for Community Wellbeing introduced the report which provided an update on the current performance and the summary information for the past three months of the District's Leisure Centres.

During the introduction from the Fusion Business Manager (Devon) (Mr Peter King), the following points were made:

- The Leisure Sector nationally was experiencing difficult times due to: the slow recovery from the Covid-19 Pandemic; the current economic instability; the increase in fuel prices; the cost of living crisis; and issues with staff recruitment and retention;
- Locally, the recovery of the Council's four Leisure Centres was ongoing and usage figures were favourable when compared to the national averages, although the Totnes Leisure Centre was doing less well and this was perhaps due to its ageing facilities;
- A Sports and Community Development Officer had been recruited and had recently taken up post; and
- The decarbonisation of the Leisure Centres by means of the installation of solar panels had been delayed by the requirement for a new Tendering process to take place, but this had now been completed.

Mr King then provided Members with an update on the key issues and achievements of the previous quarter that included:

- free Memberships for December 2022 and January 2023 had been launched in the summer. In addition, free (and reduced priced sessions) had also been employed to drive up footfall and had proven to be successful;
- an increase and closer working with local Community Groups which had seen the successful return of Youth Nights and Roller Disco Sessions. Mr King also advised that Fusion had appointed a dedicated Community Outreach resource to help to improve community engagement;
- following a successful summer season, footfall and Memberships were nearing 2019 (i.e. pre Covid Pandemic) levels;
- there had been a reduction in customer satisfaction surrounding changing rooms and cleanliness but changes had been made to address this trend. Conversely, positive feedback had been received with regard to the attitude and professionalism of staff, centre facilities, the swimming pools and group exercise sessions;
- the focus of the organisation for 2023 would be on the installation of Solar Panels, Community Outreach service provision, parent and child sessions, the refurbishment of the Totnes Leisure Centre, the Pricing Strategy and the development of Centre Café facilities.

In the ensuing discussion, the following points were raised:

- a) A Member queried the likely performance in the coming quarter in view of the aforementioned Cost of Living Crisis. In response, it was confirmed that Fusion recognised the challenges and would be looking to introduce a number of Membership initiatives to help with the January to March 2023 period;
- b) Local Ward Members raised their concerns over the lack of recovery in Membership numbers at the Totnes Leisure Centre in comparison to the other Centres in the South Hams and it was queried whether this was as a direct result of the lack of investment in the facility. In reply, it was confirmed that the lack of investment was likely to have been part of the cause, but it was highlighted that there were different patterns of use at Totnes following the Pandemic, as customers were largely attending the Centre on a 'Pay and Play' basis as opposed to signing up to a membership scheme;

In expanding upon the point, a local Ward Member highlighted the comment contained in paragraph 4.2 of the presented agenda report that stated that Fusion had recently taken the decision not to proceed with the proposed investment at the Totnes Leisure facility at present. The Member proceeded to question how the much needed refurbishments would be progressed. In response, it was confirmed that the current economic conditions had resulted in the current borrowing model being deemed unviable but that a number of different funding options would be examined over the coming six to nine months to help develop a viable business case.

An amendment to the recommendation was then **PROPOSED** and **SECONDED** and, when put to the vote, was declared **CARRIED** as follows:

“That the contents and progress of Fusion’s Quarterly Report: Q2 for 2022, be noted and that as a result of the disappointing membership figures for Totnes Leisure Centre, it be requested that proposals for progressing the much needed improvements to be made to the Totnes Leisure Centre facility, be included as part of the 16 March 2023 formal update report from Fusion to the Committee.”

When put to the vote, the amendment was declared **CARRIED**;

- c) Whilst there had been an improvement during the summer months, staff retention continued to be a real challenge and Mr King set out some of the measures that were being undertaken by Fusion to mitigate the impact;
- d) A Member questioned the merits of continuing to benchmark performance data against pre-Covid levels, as it was now largely accepted that the changes in lifestyle and working patterns were likely to be permanent and that there was little value in referring to data sets from pre 2020. In reply it was stated that, at this point, there was little benchmarking data available from the post-Pandemic period but that going forward, it was agreed that comparisons with more current data would be of use;
- e) In response to queries raised, the role of the newly appointed Outreach worker was highlighted, further information was provided in connection with the status of the Café facilities in each Leisure Centre and an explanation of the financial benefits of Membership subscriptions above ‘Pay and Play’ customers was also outlined.

It was then:

RESOLVED

That the contents and progress of Fusion’s Quarterly Report: Q2 for 2022, be noted and that as a result of the disappointing membership figures for Totnes Leisure Centre, it be requested that proposals for progressing the much needed improvements to be made to the Totnes Leisure Centre facility, be included as part of the 16 March 2023 formal update report from Fusion to the Committee.

In closing the agenda item, the Chairman highlighted that this was to be the last Committee meeting for Mr King before he left the employ of Fusion and, on behalf of the Committee, he proceeded to thank him for his engagement with the Council during his time in post and wished him well for the future.

O&S.32/22 2021/22 PERFORMANCE MANAGEMENT

Members were presented with a report provided closedown information and an overview of performance for the 2021/22 financial year. In line with the enhanced performance management framework, the report also set out the proposed updated and improved format for future reports to be presented to the Committee.

During discussion, particular reference was made to:

- a) the newly proposed reporting format. Members sought further detail on the newly proposed reporting format, with a request made that Members be in receipt of training on the new system at the point of its introduction;
- b) the availability of 'real time' performance information. A Member questioned as to when the membership would be able to access 'real time' performance information at any given time. In reply, it was confirmed that this facility was not yet available but that it remained the aspiration for Members and members of the public to be able to access current information on performance metrics;
- c) questions of clarity being raised regarding the telephone answering statistics, Council Tax collection targets and Recycling performance. In particular, it was agreed that the Information Board in the Car Park at Follaton House which provided the Council's recycling rates was accurate and should be removed in view of the information contained in the presented agenda report;
- d) facilities and site provision for Gypsies and Travellers. When questioned, officers confirmed that an update for the lead Executive Member was currently being produced following which the information would be circulated to the wider membership.

It was then:

RESOLVED

1. That the performance figures for the 2021/22 Financial Year (as shown at Appendix A of the presented agenda report) have been reviewed; and
2. That the proposed format for an enhanced performance report, for use from January 2023 (as set out in Appendix B of the presented agenda report) be noted.

O&S.33/22 TASK AND FINISH GROUP UPDATES**(a) Electric Vehicle Charging**

The Chairman of the Task and Finish Group provided an update on the Groups' work to date and confirmed that a representative from the Devon Climate Emergency Group was due to attend the next Group meeting to be held on 10 November 2022.

O&S.34/22 ANNUAL WORK PROGRAMME 2022/23

In advance of discussing agenda item 11 (a), the remaining matters on the draft annual work programme for the 2022/23 year were reviewed and the amendments to the scheduling of issues were subsequently approved by the Committee.

(a) Formal Request from Cllr Birch

Cllr Birch made reference to the Audit and Governance Committee's recent consideration of the closure report into the Ivybridge Regeneration Project (Minute AC.22/22 refers) and proceeded to outline his request for the appointment of a Task and Finish Group to review the Consultation process undertaken for the project.

In so doing, Cllr Birch advised that he had observed the Audit and Governance Committee's deliberations at its meeting held on 20 October 2022 and felt that the Committee had failed to give adequate consideration to the compliance of the project with the Council's adopted Consultation and Engagement Strategy.

As a consequence, it was **PROPOSED** and **SECONDED** that:

"a Task and Finish Group be set up to review the Council's adopted Consultation and Engagement Strategy and, as part of this review, the consultation process that was undertaken for the Ivybridge Regeneration project be reviewed, with the conclusions reached by the Group then reported back to the Committee meeting to be held on 12 January 2023."

When put to the vote, by way of the Chairman's Casting Vote, the motion was declared **CARRIED**.

It was then:

RESOLVED

That a Task and Finish Group be set up to review the Council's adopted Consultation and Engagement Strategy and, as part of this review, the consultation process that was undertaken for the Ivybridge Regeneration project be reviewed, with the conclusions reached by the Group then reported back to the Committee meeting to be held on 12 January 2023

(Meeting started at 2.00 pm and concluded at 4.25 pm)

Chairman

MINUTES of the **MEETING OF THE DEVELOPMENT MANAGEMENT COMMITTEE**
held in the **COUNCIL CHAMBER, FOLLATON HOUSE, TOTNES**, on **WEDNESDAY**,
9 November 2022

| Members in attendance | | | |
|------------------------------|--|---|--|
| * Denotes attendance | | | |
| ∅ Denotes apologies | | | |
| * | Cllr V Abbott | * | Cllr M Long |
| ∅ | Cllr J Brazil | ∅ | Cllr G Pannell |
| ∅ | Cllr D Brown | ∅ | Cllr K Pringle |
| * | Cllr R J Foss (Chairman) (for 6(b) and (c) only (Minute DM.40/22 refers) | * | Cllr H Reeve |
| * | Cllr J M Hodgson (for 6(a) and (b) only (Minute DM.40/22 refers) | * | Cllr R Rowe (Vice Chair) |
| ∅ | Cllr K Kemp | * | Cllr B Taylor |
| * | Cllr K Baldry (substituting for Cllr G Pannell) | * | Cllr B Spencer (substituting for Cllr D Brown) |
| * | Cllr D O'Callaghan (substituting for Cllr Brazil) | * | Cllr P Smerdon (substituting for Cllr K Pringle) (for 6(a) and (c) only (Minute DM.40/22 refers) |

Other Members also in attendance and participating:

Cllr J Pearce

Officers in attendance and participating:

| Item No: | Application No: | Officers: |
|------------------|-----------------|--|
| All agenda items | | Head of Development Management, Senior Specialists, Specialists and Senior Case Manager – Development Management; Monitoring Officer (via MS Teams); IT Specialists; and Democratic Services Officer |

DM.37/22 MINUTES

The minutes of the meeting of the Committee held on 5 October were confirmed as a correct record by the Committee.

DM.38/22 DECLARATIONS OF INTEREST

Members and officers were invited to declare any interests in the items of business to be considered and the following were made:

Cllr B Taylor declared an Other Registerable Interest in application 6(a) (minutes DM.40/22 (a) below refer) because he is a member of South Devon AONB Partnership Committee. The Member remained in the meeting and took part in the debate and vote thereon.

Cllr Hodgson declared a personal interest in application 6(c) (minutes DM.40/22 (c) below refer) as the applicant is known to the Member. Cllr Hodgson left the meeting for this application and took no part in the debate nor vote thereon.

DM.39/22 **PUBLIC PARTICIPATION**

The Chairman noted the list of members of the public, Town and Parish Council representatives, and Ward Members who had registered their wish to speak at the meeting.

DM.40/22 **PLANNING APPLICATIONS**

The Committee considered the details of the planning applications prepared by the Planning Case Officers as presented in the agenda papers, and considered also the comments of Town and Parish Councils, together with other representations received, which were listed within the presented agenda reports, and **RESOLVED** that:

**6a) 2735/22/HHO 10 The Plat, Strete
Parish - Strete**

Development: Householder application for replacement rear single storey sun room, first floor bedroom extension over garage, modifications to existing drive to provide additional on-site parking including resurfacing of existing for a new impermeable surface (Resubmission of 1175/22/HHO)

This application was Chaired by Councillor Rowe.

Case Officer Update: The Case Officer reported they had received the lighting plan and highlighted an error within the report that the additional parking for this application will be a 'permeable' surface and not 'impermeable' as stated in the report. The Case Officer explained that the lighting plan took into account all the measures and impact on all neighbouring properties. The Officer further added that the drainage proposal was not compliant within the SPD guidance but it could be agreed by condition. The Case Officer said that the proposed extensions were considered subservient additions to the existing dwelling and would not cause harm to the wider landscape. The development was not considered to have a significant detrimental impact on the amenity of the neighbouring properties

In response to questions raised, it was reported that:

- This application does not fall with the conservation area;
- The scale of the development would not require a construction management plan.

Speakers included: Objector – Nicola Cullen; Supporter – Peter Wells; Parish Councillor – Councillor G Campbell; Ward Member – Cllr R Foss.

In response to questions the objector reported that the shadow would engulf their property.

In response to questions the Parish Councillor reported that 5 residents objected, and 10-12 people objected at the parish council meeting.

The Ward Member raised the light impact on neighbouring properties. This application normally would not come to committee but decided to bring this to the committee for a decision.

In response to questions raised it was reported that the standard test was used to test the impact of overshadowing. The impact likely to be felt more in the spring and winter.

During the debate, Members discussed at length the lighting issue and the impact on neighbouring properties and whether neighbouring properties would be overshadowed by this application. Member felt that overshadowing of neighbouring properties was not an issue even though a number of objections were received Members said that they could not see any reason to refuse this application.

Recommendation: Conditional approval.

Committee decision: Conditional approval.

Conditions: Standard time limit
Adherence to plans
Materials to match
Adherence to ecological mitigation
Surface water drainage

6b) 2156/22/FUL "Higher Farleigh Meadow", Diptford Parish – Diptford

Development: Application to regularise and retain agricultural storage building (Retrospective).

Case Officer Update: The Case Officer reported that a letter of objection has been received and highlighted that the application did not provide sufficient justification to explain why a building of the scale proposed was required for such a small area of land.

In response to questions raised, it was reported that:

- Consultants were only used to assess larger applications;
- The fire vehicle and metal structure on the land forming the application site not part of the application.

Speakers included: Supporter – Amanda Burden; Parish Council – Councillor S Franklin; Ward Member – Cllr P Smerdon.

In response to questions, the supporter reported that the applicant will use the land to grow vegetables and hold small amount of livestock. The building will be used to store animal feed.

The Ward Member included Cllr Pannell's statement which referred to the scale of this agricultural building and whether it was appropriate for the size of the holding. Concerns were raised that fields capable of being divided into a number of one acre plots could easily be filled with such buildings which will then have a significant impact on the rural landscape. The Ward Member said that this application had been recommended for approval but officers had since changed their recommendation. The Ward Member explained that the Diptford Parish Council were concerned that the building too large with further concerns on the fire vehicle and shipping container on site.

In response to questions raised by Members, the Case Officer explained that when senior officers reviewed this application they had a different view and changed the recommendation to refusal.

During the debate, some Members felt that this application was a classic building for agricultural need and to give the applicant the benefit of doubt. Other Members questioned whether the building was applicable to the size of the land as well as being mindful of allowing a building of that size within an AONB. Members felt that this could then encourage larger buildings on small plots of land across the area.

Recommendation: Refusal

Committee decision: Refusal

**6c) 2453/22/HHO 36 Furze Road, Totnes
Parish – Berry Pomeroy**

Development: Householder application for proposed single storey front extension

Case Officer Update: The Case Officer highlighted that the applicant was a Councillor. The design of the current proposed development was considered to be an incongruous addition to the property and immediate street scene, and failed to have proper regard to the local pattern of development. As such the proposal failed in the Officer's view to comply with the requirements of policy DEV20.

In response to questions raised by Members, it was reported that an application made by a Member or employee automatically comes to the committee.

Speakers included: Supporter – Neil Warren

In response to questions to the supporter, the Supporter reported that there were a number of properties with front facing extensions within short distance of this application.

During the debate, Members felt that the application did respect the street scene and saw this as an improvement to the locality.

Recommendation: Refusal

Committee decision: Approval subject to the following conditions:

- Standard time limit and completion in accordance with plans
- recommendations within the ecology report to be followed
- Drainage

DM.41/22 **PLANNING APPEALS UPDATE**

Members noted the list of appeals as outlined in the presented agenda report.

DM.42/22 **UPDATE ON UNDETERMINED MAJOR APPLICATIONS**

Members noted the update on undetermined major applications as outlined in the presented agenda report.

(Meeting commenced at 10:00 am. Meeting concluded at 12:17 pm, with a break at 11.50 am)

Chairman

Voting Analysis for Planning Applications – DM Committee 9th November 2022

| <i>Application No:</i> | <i>Site Address</i> | <i>Vote</i> | <i>Councillors who Voted Yes</i> | <i>Councillors who Voted No</i> | <i>Councillors who Voted Abstain</i> | <i>Absent</i> |
|------------------------|--|----------------------|---|---------------------------------|--------------------------------------|----------------------------|
| 2735/22/HHO | 10 The Plat, Strete | Conditional Approval | Cllrs Abbott, Baldry, Hodgson, Long, O'Callaghan, Reeve, Rowe, Smerdon, Spencer and Taylor (10) | | | Cllrs Foss and Kemp (2) |
| 2156/22/FUL | 2156/22/FUL - "Higher Farleigh Meadow", Diptford | Refusal | Cllrs Abbott, Baldry, Foss, Long, O'Callaghan, Reeve, Spencer and Taylor (8) | Cllr Hodgson (1) | Cllr Rowe (1) | Cllrs Kemp and Smerdon (2) |
| 2453/22/HHO | 36 Furze Road, Totnes | Approval | Cllrs Abbott, Baldry, Foss, Long, O'Callaghan, Reeve, Smerdon, Spencer and Taylor (9) | | Cllr Rowe (1) | Cllrs Hodgson and Kemp (2) |

MINUTES OF THE MEETING OF THE LICENSING COMMITTEE HELD AT FOLLATON HOUSE, TOTNES ON THURSDAY 17 NOVEMBER 2022

MEMBERS

- * Cllr D Brown - Chairman
- * Cllr R Rowe - Vice-Chairman

- | | |
|----------------------|--------------------|
| * Cllr J M Hodgson | * Cllr K Pringle |
| ∅ Cllr T R Holway | * Cllr H Reeve |
| ∅ Cllr K Kemp | * Cllr P C Smerdon |
| * Cllr D O'Callaghan | * Cllr J Sweett |
| * Cllr G Pannell | ∅ Cllr D Thomas |

- * Denotes attendance
- ∅ Denotes apology for absence

Officers in attendance and participating:
Senior Specialist – Environmental Health; Lawyer (via MS Teams); Licensing Contractor; Licensing Officer (via Teams); and Democratic Services Manager

L.07/22 **MINUTES**

The minutes of the meetings of the Licensing Committee held on 8 June 2022 and 21 June 2022 were both confirmed as a true and correct record.

L.08/22 **DECLARATIONS OF INTEREST**

Members were invited to declare any interests in the items of business to be considered during the course of the meeting. There were no declarations made.

L.09/22 **HACKNEY CARRIAGE AND PRIVATE HIRE POLICY – THE STATUTORY TAXI AND PRIVATE HIRE VEHICLE STANDARDS**

Members considered a report that provided details of the range of measures set out in the Department for Transport (DfT) Statutory Taxi and Private Hire Vehicle Standards published in 2020 that the DfT expected to be implemented by all Licensing Authorities unless there is a compelling local reason not to.

In discussion, the following points were raised:

- a) Officers confirmed that the draft policy required licence holders to report any offence or police caution regardless of it being for specific driving offences;

- b) When questioned, officers advised that the ability for passengers to be accompanied by their pets was a decision within the discretion of a licence holder;
- c) With regard to the views of licence holders, officers informed that these changes had been widely publicised within the profession and were therefore anticipated by drivers.

It was then:

RESOLVED:

1. That the content of the Department for Transport Statutory Taxi and Private Hire Vehicle Standards (the DFT Standards) be noted;
2. That the following proposed changes to the Hackney Carriage and Private Hire Policy be made:-
 - a) That Appendix A of the draft Policy (as presented to the Committee) be amended to align the Hackney Carriage and Private Hire Licensing Criminal Convictions Policy with the 'Institute of Licensing – Guidance on determining the suitability of applicants and licensees in the hackney and private hire trades';
 - b) That applications be reviewed against the National Register of Revocations and Refusals (Part 1, Para 10.9 of the published agenda report refers);
 - c) That referral to the barred list where the individual is thought to present a risk of harm to a child or vulnerable adult (Part 1, Para 10.11 of the published agenda report refers);
 - d) That a requirement be introduced for a tax conditionality check as part of the application process (HMRC requirement from 4 April 2022);
 - e) That the notification period for Licence Holders / Applicants to notify the Licensing Authority of arrest / conviction / caution etc be amended from 5 days to 48 hours;
 - f) That a requirement for vehicle proprietors to provide a basic DBS certificate as part of the application process be introduced (Part 2, Para 26.1 of the published agenda report refers);
 - g) That a mandatory requirement to display a "How to complain" sticker within Licenced vehicles be introduced (Part 2, Para 28.4 of the published agenda report refers);
 - h) That, with effect from 1 April 2023, a requirement be introduced for private hire operators to obtain a basic DBS disclosure certificate for all controllers (call handling and dispatching staff) and a written policy on employing ex-offenders be adopted (Part 2, Paras 41.6 - 41.7 of the published agenda report refers);

- i) That additional record keeping requirements for private hire operators be introduced from 1 April 2023 (Part 2, Para 48.1 of the published agenda report refers); and

3. That Council be **RECOMMENDED** that the draft Hackney Carriage and Private Hire Policy, as amended, be adopted.

L.10/22 **HACKNEY CARRIAGE AND PRIVATE HIRE POLICY – PROPOSAL TO DELAY IMPLEMENTATION OF THE EURO NCAP SAFETY RATING STANDARD**

Consideration was given to a report that, as a result of the Covid Pandemic and Cost of Living Crisis, sought to delay the implementation of the Euro NCAP Safety Rating Standard.

In the ensuing discussion, an amendment to Recommendation 1 was **PROPOSED** and **SECONDED** as follows:

1. *that the following proposed change to the Hackney Carriage and Private Hire Policy has been considered:-*

Section 17 of the Policy is amended to delay the implementation of the requirement for currently licensed vehicles to hold a Euro NCAP Safety rating of 4 or 5 stars (out of 5), from 1st January 2023 until 1st January 2024, with the Committee being given the opportunity to further review the Policy at a meeting to be held in November 2023 before the final decision is made.

In debate on the amendment, Members felt that it would be sensible to review the position again in twelve months' time and, when put to the vote, the amendment was declared **CARRIED**.

It was then:

RESOLVED

1. That the following proposed change to the Hackney Carriage and Private Hire Policy has been considered:-

That Section 17 of the Policy be amended to delay the implementation of the requirement for currently licensed vehicles to hold a Euro NCAP Safety rating of 4 or 5 stars (out of 5), from 1 January 2023 until 1 January 2024, with the Committee being given the opportunity to further review the Policy at a meeting to be held in November 2023 before the final decision is made; and

2. That Council be **RECOMMENDED** that the draft Hackney Carriage and Private Hire Policy, as amended, be adopted.

(Meeting commenced at 2.00 am and concluded at 2.40 pm).

Chairman

**MINUTES OF A MEETING OF
THE EXECUTIVE
HELD IN THE COUNCIL CHAMBER ON THURSDAY 1 DECEMBER 2022**

| | | | |
|---------------------------------|----------------------------------|---|----------------------------|
| Members in attendance: | | | |
| * Denotes attendance | | | |
| ∅ Denotes apologies for absence | | | |
| * | Cllr K J Baldry | ∅ | Cllr T R Holway |
| ∅ | Cllr H D Bastone (Vice Chairman) | ∅ | Cllr N A Hopwood |
| * | Cllr J D Hawkins | * | Cllr J A Pearce (Chairman) |

| |
|---|
| Non-Executive Members also present either in person or remotely for all or part of the meeting: |
| Cllrs Abbott, Birch, Brazil, Hopwood, Long, McKay, O’Callaghan, Pringle, Spencer, Sweett, Taylor and Thomas |

| | | |
|--|--|--|
| Officers in attendance and participating: | | |
| All items | | Senior Leadership Team; Monitoring Officer; Democratic Services Manager; Assistant Director – Planning; Head of Housing; Deputy Section 151 Officer; Head of Revenue and Benefits; Senior Specialist – Benefits; Head of Strategy, Corporate Projects and Partnerships; Customer Service Improvement Manager; Head of Waste and Environmental Services; Senior Specialist – Parking; Specialist – Climate Change; Head of Organisational Development; Head of Assets and Senior Specialist - Engineering |

E.51/22 MINUTES

The minutes of the Executive meeting held on 13 October 2022 were confirmed as a true and correct record.

E.52/22 DECLARATIONS OF INTEREST

Members and officers were invited to declare any interests in the items of business to be considered during the course of this meeting, but there were none made.

E.53/22 PUBLIC QUESTION TIME

The Leader informed that no public questions had been received in accordance with the Executive Procedure Rules.

E.54/22 EXECUTIVE FORWARD PLAN

Members were presented with the most recently published version of the Executive Forward Plan that set out items on the agenda for Executive meetings for the next four months and duly noted its contents.

In discussion, the following points were raised:

- (a) Members noted that the Quarter 1 and Quarter 2 Write Off Report for 2022/23 had since been deferred for consideration to the next Executive meeting (to be held on 31 January 2023);
- (b) The Executive expressed its wish for the 'Planning Improvement Plan – Six Month Progress Review' to be considered before the May 2023 local elections.

E.55/22

REVENUE AND CAPITAL BUDGET PROPOSALS FOR 2023/24 TO 2025/26

Consideration was given to a report that outlined the draft revenue and capital budget proposals for 2023/24 to 2025/26.

In discussion, particular reference was made to:

- (a) the current capital bidding process. At the request of the Executive, officers set out the current capital bidding process and advised that, in future years, it would be amended to enable greater Member input at an earlier stage. This point was welcomed and the Leader asked that, if any Members had any requests that they wished to be considered for inclusion for the 2023/24 Financial Year, then they must let either Members of the Executive or their Group Leader know at the earliest possible opportunity;
- (b) the increases in external audit fees. Despite receiving an explanation from the Section 151 Officer regarding the increases in external audit fees, some Members were of the view that audit process for all local authorities were no longer fit for purpose or represented good value for money;
- (c) recommendation 5. In reply to a question, the Chief Executive wished to firstly apologise to the Chairman of the Overview and Scrutiny Committee that he had not been made aware of the proposal for an Advisory Committee to be established to consider the draft Budget Proposals for 2023/24 prior to the agenda papers having been published. For clarity, the intention of this recommendation was to enable for all non-Executive Members to have an opportunity to consider the draft Budget for 2023/24 which, in light of the recent changes in Committee membership, would not now have been possible via a joint meeting of the Overview and Scrutiny and Development Management Committees.

It was then:

RESOLVED

- i) That the forecast budget gap for 2023/24 of £195,616 (1.7% of the Projected Net Budget for 23/24 of £11.43million) and the position for future years be noted;
- ii) That the timescales for closing the budget gap in 2023/24 and future years to achieve long term financial sustainability be noted;
- iii) That the current level of Unearmarked and Earmarked Reserves (as set out in Appendix C of the published agenda report) be noted, as well as the net contributions to Earmarked Reserves modelled for 2023/24 (as set out in Appendix D of the published agenda report);
- iv) That the outline initial proposals for the Capital Programme for 2023/24 of £2.070 million (as set out in Appendix E of the presented agenda report) be noted (with Full Business Cases to be presented to Members as part of the January 2023 budget cycle of meetings).

And that Council be **RECOMMENDED**:

- v) to set up an advisory Committee comprising of all Non-Executive Members to meet in January 2023, to consider the 2023/24 Revenue and Capital Budget Proposals and make recommendations to the Executive on the Budget Proposals (meeting date proposed of Thursday 19 January 2023); and
- vi) that South Hams District Council continues to be part of the Devon Business Rates Pool for 2023/24, subject to there being no announcements within the Finance Settlement (expected to be announced in mid-December), which in the opinion of the Section 151 Officer (in consultation with the Leader of the Council and the Portfolio Holder for Finance), would change this recommendation.

E.56/22

BETTER LIVES FOR ALL – QUARTER 2 INTEGRATED PERFORMANCE MANAGEMENT REPORT

Members considered a report that set out the Integrated Performance Management report covering the Quarter 2 period. The report also highlighted the strategic risk profile of the Council, performance against key indicators and an overview of the capital programme

During discussion, the following points were raised:

- (a) A local Ward Member drew attention to the comments regarding the Caravan Club at Steamer Quay, Totnes. In so doing, the Member expressed his disappointment at the apparent lack of progress being made in respect of the validation of the planning application and the agreement of the lease on this site. In reply, officers committed to providing a progress update to local Ward Members outside of this meeting;
- (b) A Member recognised the reliance on agreed time extensions in determining planning applications and welcomed the earlier comment that the Planning Improvement Plan would be brought back to the Executive during the early months of 2023 (Minute E.54/22 above refers).

It was then:

RESOLVED

That the progress in delivery of the Better Lives for All thematic delivery plan and the overall strategic performance of the Council be noted.

E.57/22 CUSTOMER ACCESS STRATEGY & CONTACT CENTRE UPDATE

Consideration was given to a report that provided a progress update on the Council's Customer Access Strategy

In discussion, the following points were raised:

- (a) Although not forcing all residents to interact with the Council digitally, the improved effectiveness of the online service would encourage those who preferred to conduct their business with the Council online to do so, thereby releasing capacity and improving effectiveness for those residents who preferred to contact the Council by telephone or book an appointment to visit in person;
- (b) It was noted that the proposal to offer a Home Visiting service was to be launched imminently and would offer the most vulnerable amongst the Council's residents the opportunity to meet with Council staff in their own homes. Visiting Officers had been trained in a number of different subject areas and had developed the expertise to offer assistance and signposting on a wide range of matters. The Home Visiting Service was widely welcomed by Members;
- (c) With regard to partnership working, it was confirmed that the Council had increased its work with local partners (for example Citizens Advice and the Community Voluntary Service), with a view to offering vulnerable residents a more expansive and joined up service;

- (d) Concerns were raised regarding how the Council could ensure that its message would reach those most in need. In response it was confirmed that a new text messaging service was to be introduced and that Local Ward Members were key in advising their local residents and Town and Parish Councils of the services available and how these could be accessed. In expanding upon the point, a Member highlighted that Town Council offices were open during the week and there was scope for the District Council to access its residents through this means. Finally, all Members recognised that the Strategy currently omitted to make reference to the fact that residents should contact their local Ward Member(s) if they were unable to gain a response from the Council;
- (e) Some Members raised their concerns about the lack of a fully operational Reception facility at Follaton House. In reply, it was confirmed that a Virtual Reception was proposed to be introduced in the New Year whereby members of the public could access the building to use telephones and computers to initiate contact with Council staff. In addressing concerns that an unmanned reception was unsatisfactory for many residents and the consequent detrimental impact on tenants, a Member stated that travel to Follaton House was not easy or convenient for many of those living outside the Totnes area. As a result, improving other methods of contacting the Council benefitted many residents and released resource to help support residents in other ways;
- (f) A Member queried whether the new digital service had specifically taken account of those residents with partial or total hearing loss. In response, it was confirmed that, although the Council's telephony system was voice only, Council staff had access to video calling and that once initial contact had been made, staff could arrange to contact the resident via a video call which would assist hearing impaired residents who were able to lip read. It was agreed that this service should be advertised as being available;
- (g) As a general point, a number of Members regretted the reference to 'customers' and not 'residents'. Given that residents had no choice as to the local authority that they were served by, it was felt that the corporate emphasis should be on 'residents' as opposed to 'customers'.

It was then:

RESOLVED

1. That the Customer Access Strategy principles and approach (as set out in section 3 of the presented agenda report) be approved;
2. That the approach and actions to implement the Customer Access Strategy (as set out in section 4 of the presented agenda report) be endorsed; and

3. That the actions taken to improve the performance of the Contact Centre (as highlighted in Appendix A of the presented agenda report) be noted.

E.58/22 **COST OF LIVING CRISIS: PLANS FOR HOUSEHOLD SUPPORT FUND ALLOCATION**

The Executive was presented with a report that provided information on the latest round of Government funding and set out a range of options for how the fund could be administered to best help those in the most need.

In the ensuing debate, it was stated that:

- (a) The Household Support Fund was to open today (1 December 2022) and would close on 31 March 2023, with all Funds needing to be administered by that time. Members highlighted that the Council had an excellent track record with regard to the efficient distribution of Grant funding;
- (b) A Member queried the possibility that some payments could be made before Christmas. Officers replied that, whilst they would not wish to over commit, it was hoped that, in some cases where the Council held all necessary details, some payments could be administered later in the month;
- (c) Clarity was sought on how eligibility for payments would be decided and whether or not any funds would be held in reserve for any residents with a sudden and desperate need for help. By way of a comfort, officers confirmed that there were funds in reserve for any such residents in desperate need;
- (d) Members welcomed the discretionary element of the Scheme which afforded the Council the opportunity and discretion to develop its own eligibility criteria but it was requested that further clarity be added to part 1 of the recommendation set out in the presented agenda report.

As a result, an amendment to recommendation 1 was **PROPOSED**, **SECONDED** and, when put to the vote, declared **CARRIED** that the Executive:

*'Instructs officers to take immediate steps to progress support payments of £650 to working age households who are not receiving **Passported Benefits but are receiving Council Tax Reduction** on 1 December 2022;'*

It was then:

RESOLVED

1. That officers be instructed to take immediate steps to progress support payments of £650 to working age households who are not receiving Passported Benefits, but are receiving Council Tax Reduction on 1 December 2022;
2. That officers be instructed to take immediate steps to progress support payments of £300 to households in receipt of council tax disabled band reduction on 1 December 2022;
3. That officers be instructed to work with partners to distribute slow cookers and cookbooks, electric blankets, warm clothing and sleeping bags to households based on need and that £10,000 from the Fund is ring-fenced for this purpose; and
4. That the use of the balance of the funding for an open application process from low-income households most in need of support be approved.

E.59/22

HOUSING CRISIS UPDATE – SUMMARY REPORT OF ACTIONS

The Executive considered a report that provided an update on the progress made against the Council's Housing Crisis Declaration. The report also sought approval of a Section 106 offsite affordable housing contribution for a development in St Anns Chapel.

In the ensuing discussion, reference was made to:

- (a) the progress that was being made following the Housing Crisis Declaration. Members wished to put on record their thanks to the Head of Housing and her Housing Team for the progress that was being made;
- (b) the challenges and negative impact arising from the increased provision of short-term lets in the South Hams. In providing an update to the meeting, the Leader advised that there was an increased recognition at Central Government level over the challenges associated with high numbers of short-term lets in the South Hams. Furthermore, there was also national recognition that the Local Housing Allowance was no longer fit for purpose;
- (c) the Ropewalk site at Kingsbridge. Members confirmed that they were committed to working in partnership with the Town Council to bring forward a suitable scheme and that no views had yet been reached with regard to the most appropriate delivery option for this site;

- (d) the St Anns Chapel development. The pace of the development at St Anns Chapel was commended and its local benefits were recognised. Nonetheless, a Member expressed his concerns over the cost of the development and his hope that, upon its completion, a project review would be undertaken;
- (e) a second homes premium on Council Tax. A number of Members welcomed the pending Central Government legislation to enable for local authorities to charge a premium on Council Tax for second homeowners.

It was then:

RESOLVED

1. That the progress against the Housing Crisis Declaration be noted; and
2. That the allocation of Section 106 funding for affordable housing at St Anns Chapel be approved.

E.60/22

WASTE AND RECYCLING SERVICES UPDATE

The Executive was presented with a report which set out the progress made to date with the transfer of the Waste and Recycling Service and the costs incurred to date on the service transfer.

In discussion, the following points were raised:

- (a) The lead Executive Member for Environment highlighted the overall success of the transfer and stated that performance had been far better than had been expected. When questioned on why this had been the case, the Member stated that this was largely attributed to hard work and open and regular communication; collaborative working and use of local knowledge and experience of all members of staff;
- (b) Whilst acknowledging the reasons for the delay, the lead Member expressed some disappointment that a Food Waste collection service could not be offered yet. Officers informed that it was hoped that such a service could be provided by June 2023;
- (c) In response to a query around current take up of the new Garden Waste Service, it was confirmed that 4,122 subscriptions had so far been secured with a target of 11,500 needed for the service to break-even. A Member proceeded to question how members of the public who were not able to subscribe via the Council website could sign up to the Scheme.

In reply, it was confirmed that the subscriptions could be taken over the phone by means of the Council's main switchboard number and that all Contact Centre staff were able to manage such requests. Finally, the need for a communications campaign to be undertaken to increase take up was recognised;

- (d) In light of recent staff recruitment and retention issues, officers provided an update to the meeting. In so doing, officers stated that a successful recruitment exercise had been recently undertaken and, as a result, it was likely that the reliance upon Agency staff to fill positions would fall from around 30% to nearer the national average of 10-15%.

It was then:

RESOLVED

1. That the successful transfer of the service, the improvement in service performance and the key operational risks that the service is operating under be noted;
2. That the approach to improving the service throughout the transitional period (as set out in Section 4 of the presented agenda report) be endorsed; and
3. That the work underway to build a comprehensive budget forecast for the current operating phase and prepare financial projections of the service beyond the transition phase be noted.

E.61/22 MOTORHOME POLICY REVIEW

Members considered a report that set out the findings of the Pilot Motorhome Home Policy that had been in operation for the past year.

In the ensuing debate, the following points were raised:

- (a) Whilst the site at Longmarsh Car Park had proven to be the most successful during the Pilot, it had also received the most number of complaints. The lead officer summarised the headline areas for which complaints had been received and emphasised that the Council had taken enforcement action against anti-social behaviour and had issued a number of penalty charge notices;
- (b) Specifically regarding the Caravan Club at Totnes, local Ward Members had received concerns from the site owners in respect of the competition being generated from the Longmarsh Car Park site. In countering these concerns, other Members stated that the Council was offering a different service to that being operated by the Caravan Club and indeed other campsites;

- (c) A Member asked that additional signage be placed in some locations as the site in Kingsbridge was not clearly signposted and as a result some Motorhomes had stopped in an incorrect nearby car park;
- (d) When questioned, officers stated that the policy would continue to evolve and the ability remained for additional sites to come forward.

It was then:

RESOLVED

That the permanent adoption of the Motorhome Policy be approved for the following car parks only:

- Longmarsh Car Park, Totnes;
- Leonards Road Car Park, Mybridge;
- Poundwell Meadow Car Park, Modbury;
- Park & Ride Car Park, Dartmouth; and
- Cattlemarket Car Park, Kingsbridge

E.62/22 DEVON CARBON PLAN

Members were presented with a report which provided details of the Devon Carbon Plan and also provided an update on the progress made against the Council's Climate Change Strategy and Action Plan.

In debate, it was confirmed that much of the Council's work to date on its own Climate Change Strategy and Action Plan had been aligned with the work undertaken by Devon County Council and it was hoped that this approach would continue.

It was then:

RECOMMENDATION

That Council be **RECOMMENDED** to:

1. endorse the ambition and objectives set out within the Devon Carbon Plan; and
2. revise its Climate Change Strategy and Action Plan to show how it will contribute to delivering the Devon Carbon Plan.

(Meeting commenced at 10.00 am and concluded at 1.00 pm)

Chairman

(NOTE: THESE DECISIONS, WITH THE EXCEPTION OF MINUTES E.55/22 (PARTS V and VI) & E.62/22 WHICH ARE RECOMMENDATIONS TO THE COUNCIL MEETING TO BE HELD ON 15 DECEMBER 2022) WILL BECOME EFFECTIVE FROM 5.00PM ON MONDAY, 12 DECEMBER 2022 UNLESS CALLED IN, IN ACCORDANCE WITH SCRUTINY PROCEDURE RULES)

PUBLIC QUESTIONS AT COUNCIL MEETINGS

There is a period of 15 minutes at meetings of the Full Council (excluding the Annual Meeting) during which members of the public can ask questions about items on the agenda.

Any member of the public who wants to ask a question should ensure that the question:

- a) is no more than 50 words in length;
- b) is not be broken down into multiple parts;
- c) relates to an item included on the agenda; and
- d) is suitable to be considered. A question will not be suitable if, for example, it is derogatory to the Council or any third party; relates to a confidential matter; it is about a specific planning matter; or it is substantially the same as a question asked in the past six months.

Questions should be sent to Democratic Services (Democratic.Services@swdevon.gov.uk) by 1.00pm on the Monday before the meeting (the deadline will be brought forward by a working day if affected by a bank holiday). This will allow a detailed response to be given at the meeting. If advance notice of the question cannot be given the Chairman of the meeting has the discretion to allow questions on matters that are felt to be urgent;

For any further advice on questions to Full Council, or to request a copy of the full Public Questions Procedure Rules, please contact Democratic Services (Democratic.Services@swdevon.gov.uk)

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