

Dear SNP Group,

Firstly, congratulations on reaching the end of Regulation 14. I appreciate the challenges faced by all Neighbourhood Planning Groups and offer the comments of the Council in the interests of supporting the Salcombe NP Group in advancing to Regulation 16 and, ultimately, referendum in a timely manner.

With this in mind I appreciate some of the comments will challenge the Group and I would, therefore, like to meet at our earliest opportunity to discuss. Thursday 12th would suit me, but please suggest other dates if this is not convenient.

My overall impression is of a carefully thought out, evidenced and presented plan for an area with considerable planning challenges. There are innovative policies, to be welcomed, that seek to preserve and enhance the character, yet there is recognition, in Objective 6 of the Plan, of the need to address the acute problem of delivering truly affordable housing and meeting local need. Allied to this is the need to provide year round employment and maintain / enhance the retail / service offer of the Town (Theme 3). Whilst the draft Plan appears to seek an appropriate balance between meeting development needs and protecting what is a unique Town and setting, the Council (as Local Planning Authority) has concerns that the Plan may be overly restrictive with respect to the longer term development needs and sustainability of Salcombe. Detailed comments on each proposed policy follow.

Policy SALC Env1 Impact on the South Devon Area of Outstanding Natural Beauty (AONB)

All future development in the Parish must have due regard of its impact on the AONB, Undeveloped Coast, Heritage Coast, the rural landscape and the guidance on development set by the South Devon AONB Unit. All development proposals within the Parish must successfully demonstrate that they satisfy all of the following criteria:

- a) They maintain the intrinsic character of the landscapes affected;
- b) The proposal's visual and environmental impact on the AONB, Heritage Coast and Undeveloped Coast has been assessed and minimized;
- c) It is demonstrated that they conform to the guidance on development in the AONB Management Plan and AONB Planning Guidance;
- d) They cannot be accommodated reasonably outside the Undeveloped Coast;
- e) All proposals with the exception of minor alterations to existing dwellings within the development boundary must be accompanied by a landscape appraisal, a landscape plan and biodiversity action plan. All of which accurately defines the natural assets and constraints of a development site;
- f) Take opportunities available, where reasonable, for improving public access to and the enjoyment of the coast.

The Council questions whether clause e is reasonable. The objective is recognised and supported, but in order to be commensurate with the likely impact it is suggested that further qualification is provided.

Policy SALC Env2 Green Infrastructure throughout the Parish

All future developments must demonstrate an awareness and management of wildlife corridors through the parish and connecting to the broader green infrastructure of South Devon. Any development should also be informed by the Wildlife Resource Map and species record produced for the Plan³⁰ and included in the evidence base.

- a) Applicants must consider the opportunities, constraints and checklists outlined in the South Hams Green Infrastructure Framework ³¹
- b) A statement is required on all developments with the exception of minor alterations to existing dwellings within the development boundary detailing the way in which green infrastructure has been incorporated into the proposed development.
- c) Protection of locally distinctive natural features in a development such as Devon Banks, Hedgerows and the protection of existing mature trees beyond those protected within a Tree Preservation Order should be included as part of the above statement.

**Encouraging to see a reference to the Green Infrastructure Framework in clause a.
Could the SNP Group clarify the intention / mechanism with respect to meeting clause b. It will not be possible to have different validation requirements for different NP areas.**

Policy SALC Env3 Local Separation

A local separation policy is proposed between the settlements of Salcombe and Batson to maintain the integrity of their Conservation Areas, the different characters that underpin them; Salcombe is a town and Batson a rural hamlet. This policy safeguards the landscape character surrounding these settlements within the AONB and prevents coalescence between them. The definition of coalescence in this planning context is the 'merging or coming together of separate towns or villages to form a single entity'. The extent of the separation policy is indicated in figure 11.

This policy helps maintain a network of green infrastructure as outlined in Policy SALC Env2 around the parish, in addition to shaping and maintaining the settlement pattern.

Proposals within the separation area will only be supported if they do not individually or cumulatively result in coalescence and loss of separate identity of the neighbouring settlements of Salcombe and Batson or perception thereof and provided it does not conflict with other policies within this plan.

No comment.

Policy SALC Env4 Local Green Spaces

A network of green open spaces is proposed for the Parish. These sites illustrated in figures 12A, 12B and 12C have been identified by the community as of special value to Salcombe Parish and hold a particular significance to the place namely;

- Their beauty and tranquillity;
- Historic significance;
- Passive and active recreational value;
- High environmental quality;
- The richness of habitats and wildlife;
- To maintain the open character of the parish;
- The historic landscape setting of settlement is retained;

The following sites are designated as Local Green Spaces (LGS). The justification for each site against the criteria set in NPPF clause 77 is included below and within the evidence base as Appendix 3. Development within the designated LGS will only be supported if it is necessary for the enhancement of the LGS

The general principle and objective of this policy is supported and it is recognised that many of the sites are likely to be justifiable individually.

Noting that green space designation is equivalent to green belt protection, the Council raises concern that the combined effect of the number / extent of sites appears to be inappropriately restrictive. Specifically, the Council is concerned that the cumulative impact may limit the ability to respond to the sustainable development needs of Salcombe in the longer term.

Policy SALC Env5 Maintaining the character and the environmental quality of the estuary

The natural characteristics of the estuary should be retained in any future development along the waterside. Any future waterside development must respect the following criteria:

- a) Consideration must be given to the tidal and weather variation throughout the year providing shelter and durability to withstand often extreme conditions.
- b) Existing wooded areas running to the water's edge particularly where they start at the ridge line must be retained.
- c) Development must be restricted to the existing historic settlements of Salcombe and Batson in sheltered locations.
- d) All harbour and boating infrastructure is clustered and should be contained within the existing developed areas. This requirement is to control the infrastructure's visual impact and prevent further damage to the seabed.
- e) No extensions of existing permanent pontoons within the historic settlement at Whitestrand, Normandy, Victoria Quay, Shadycombe Creek and Batson will be supported. There should be no net loss of foreshore or seabed in any future development. For the avoidance of doubt this Plan will not support any pontoons South of Jubilee Pier.
- f) Any impact on the health and quality of the estuary from development must be mitigated against ; this includes impact from noise , pollution, and litter.
- g) Wildlife corridors through and beyond the harbour should be respected and safeguarded.

The AONB Estuary management plan and Salcombe Harbour Management Plan in force at the time should be material considerations in any future planning applications.

The Council recognises and supports the general objective of the policy. The wording, however, can be interpreted as overly restrictive. It is suggested that wording is used that offers a degree of flexibility whilst retaining the importance of having regard to each criterion.

Policy SALC Env6 Locally Important Views

There are a number of views across Salcombe Parish from public land and routes that are considered locally important. These are illustrated in figures 13 and 14.

The description of each view and points to be considered are included below and within the evidence base as Appendix 4.

The quality of the views to the settlements, the estuary, coast or the countryside should be safeguarded in any future development within the Parish. The views help define the character of the town and the AONB as outlined in AONB Management Policy Lan/P6. Development within the foreground or middle ground of these views 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.

No comment.

Policy SALC Env 7 Maintaining the character, density and green infrastructure in key areas of Salcombe

Development which would alter the character of the low density development and mature gardens in the areas shown as Character, density and green infrastructure policy areas A and B illustrated in figure 15 will not normally be permitted.

Sub-division of any existing plot within the development boundary will not be supported if the volume of the new or modified building exceeds the total volume of the original building plus the maximum additional volume that could be generated using the maximum limits imposed for extensions under permitted development.

The Council recognises and supports the general objective of the policy. The phrase 'not normally permitted' is considered to be inappropriate, however. It is suggested that this (as all policies) should be worded positively by setting out the circumstances whereby development might be permitted, for example: 'Development will only be permitted where:'

Policy SALC B1 Design Quality and safeguarding Heritage Assets

Any new development in Salcombe Parish must demonstrate high quality design. All project proposals must:

1. Be in keeping with the area within which it is located, respond to and integrate with the local built surroundings, landscape context and setting;
2. Within the Salcombe and Batson Conservation Areas development should enhance the conservation area and make a positive contribution to the significance of the heritage assets and their setting and have regard to the Salcombe Conservation Area Appraisal 2010.
 - a) Contribute positively to the area as defined by the four character areas in the appraisal:
 - The Historic Core;
 - Rows, Courts and Alleyways;
 - Victorian suburbs and outer Environs;
 - Cliff Road:

b) All proposals that have an impact on a heritage asset should be accompanied by an assessment of the significance of the asset including a desktop and on site study.

Could the SNP Group clarify the intention / mechanism with respect to meeting clause b. It will not be possible to have different validation requirements for different NP areas.

c) Use high quality **materials in keeping with** the local materials defined in the Appraisal

Does this mean 'new/modern' materials would not be acceptable even if they sat comfortably within the site/area?

d) Use of design features such as setbacks , stone boundary walls (particularly on a frontage) and roof details that are locally distinctive to the character areas, for example the use of dormer windows instead of rooflights.

e) Consider detailed surface treatments that are locally distinctive for example; natural stone paving, clay pavours and granite setts.

f) Retention of existing wooded areas and mature isolated trees;

g) The sensitive replacement of doors, windows and roofing materials.

3. All new development must:

- a) Follow building setbacks to match adjoining buildings;
- b) Respect the scale and character of existing and surrounding buildings;
- c) Use high quality materials that complement the existing palette of materials used within Salcombe Parish;
- d) Adopt the principles of sustainable design low carbon design as defined by Local Plan Policy Dev 34;
- e) Have regard to the requirements of 'Secure by Design' to minimise the likelihood and fear of crime;
- f) Reduce the dependence on the private car by supporting and connecting directly to other more sustainable modes such as walking, cycling and public transport.

The Council recognises and supports the general objective of criterion 3. The wording, however, can be interpreted as overly restrictive. It is suggested that wording is used that offers a degree of flexibility whilst retaining the importance of having regard to each criterion.

4. Where infill development or a sub-division of a site is proposed it shall have due regard for Policy SALC ENV 1, 2 and 7 and adequate provision shall be made for onsite car parking. No loss of onsite parking or an increase in demand for on street parking shall be supported.

It is suggested that the phrase 'normally' is inserted in criterion 4 before 'be supported' as this would ensure an appropriate degree of flexibility.

Additional heritage comments: Pg 50 Policy SalcB1 – Design Quality & Safeguarding Heritage Assets: Point 2 should probably read: "*preserve* or enhance"; and Point 2d should probably read: "....."use of *traditional* dormer windows instead of rooflights"

Section 2.2 Theme 2 Built Environment is where heritage sits: Objective 2 (pg 7) should probably read: ".....safeguard and their setting *preserved* or enhanced"

General Point: Salcombe has a relatively recent CACA (2010). This document is referenced heavily in the NP, however, it does only relate to the Salcombe Conservation Area and not the Batson Conservation Area. The phrase 'Heritage Assets' is used throughout the NP but unlike other NPs the 'Heritage Assets' are not defined / catalogued. As there is an adopted (recent) CACA this probably doesn't represent an issue as effectively the CACA highlights those non-designated heritage assets that offer a positive contribution. There may, however, be a missed opportunity for the locality of Batson to identify and catalogue its local heritage assets. Given the small geographical area this exercise would not be too onerous. If the Plan does not identify the 'heritage assets' it is seeking to 'preserve or enhance' then it does somewhat leave it open to interpretation as to what constitutes a 'heritage asset' at a later date. As mentioned the CACA looks after Salcombe in this regard.

Policy SALC EM1 New employment land in Salcombe

This plan supports employment development in areas of land to the North of Shadycombe Creek and within a mixed use development on the existing Shadycombe Car Park as allocated in the SHDC Joint Local Development Plan and illustrated in figure 16. The proposed employment shall include:

- a) Development that optimises the use of the area for marine related employment and associated activities;

- b) A standard of design and layout that will respect and complement the sensitive estuarine setting close to a conservation area;
- c) That the existing number of car and boat parking spaces are retained unless or until satisfactory alternative provision is made elsewhere within the town;
- d) That the uses are compatible with location within a flood risk area and that all mitigation measures required by the Environment Agency are accommodated;
- e) A minimum of 2000m² of employment space is created.

New employment proposed under this policy should conform to General User Class BI only.

Could the SNP Group clarify the reasoning for seeking to restrict other uses.

Policy SALC EM2 Retention of existing Employment Land in Salcombe

Within the area of Island Street and Gould Road shown as employment policy area B on figure 17 only employment uses shall be permitted. Development shall include:

- a) Rehabilitation, re-use or redevelopment of existing premises;
- b) Marine related uses shall take priority in this area however small scale workshops, accommodating arts and crafts will be supported;
- c) Retail uses shall only be supported providing they are ancillary to a B1 employment use;
- d) Residential use will only be permitted if it forms a minor part of the overall development and it is ancillary and subsidiary to the manufacturing, craft and other service enterprise in the area.

Where the loss of an employment site is justified as no longer viable the applicant must demonstrate through an independent assessment that the vacant units have been actively marketed and offered at a reasonable rent (comparable with rents achieved elsewhere in the parish) for a minimum period of 1 year, a market review of the sites and details of the marketing. New employment proposed under this policy should conform to General User Class BI with ancillary retail as A1 only.

Could the SNP Group clarify the reasoning for seeking to restrict other uses.

Aspirational Policy SALC T1; An integrated transport Statement of Intent for Salcombe

It is an aspirational policy that an integrated transport plan is prepared early in the plan period. This plan should be led by the Town Council working in partnership with the District Council, Devon County Council Highways team, the Harbour Board, and private ferry operators. The scope of the Integrated Transport Plan shall cover;

- a) A reassessment of the existing car parking arrangements covering car parking charges, on street parking and permit arrangements;
- b) A review of the park and ride provision; assessing the strengths and weaknesses of the existing location, any alternative locations and the option for a seasonal temporary car park and ride site on greenfield land at the edge of Salcombe;
- c) Consideration of additional bus services and their frequency to best serve the town and the means to fund these services;
- d) Investigation into additional ferry services within the estuary and along the coast and the rebuilding of Jubilee Pier to support these services;
- e) Preparation of a coordinated public transport timetable covering bus and ferry services, this will form part of a package of information to promote bicycling and walking for the benefit of Salcombe visitors and residents;
- f) The feasibility into the pedestrianisation or access only restrictions for a section of Fore Street during the summer peak period;

- g) Identification of enhancements and improvements to the South West Coast Path and existing public rights of way where they connect to the town. This task should be carried out in consultation with the National Trust and the South West Coast Path Association³⁶
- h) Preparation of a Green Travel Plan for Salcombe that summarises the results of the above tasks which is intended to inform future delivery, development and funding priorities. It will be expected that all future development should support this plan.

Support in principle.

Policy SALC H1 Affordable Housing

This plan supports proposals for affordable housing development on the sites identified in the SHDC Joint Local Development Plan and this plan. Such developments should include proposals for Community Led Housing and should meet the requirements of other policies of this plan. All development must meet the following requirements:

- a) The number of affordable homes to be delivered is in line with the need as defined by Devon Homes Choice:
- 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 elderly in the Parish is provided in the form of sheltered, extra care or assisted living housing;
- d) Homes are developed for rent and purchase;
- e) The affordability is determined with consideration of the particular circumstances of Salcombe, namely high average property prices and low salaries as recognised in the Salcombe Local Lettings Policy;
- f) Homes shall be occupied by people with a local connection as defined by the Salcombe Local Lettings Policy and any subsequent amendments agreed with the Town Council.
- g) Affordable housing for sale shall be subject to a legal covenant to ensure the homes remain affordable in perpetuity;
- h) Where affordable housing is delivered through the subsidy from market housing in line with SHDC Joint Local Development Plan Policy DEV 8, such market housing is subject to a principal residence condition as set out in Policy SALC H3.

The Council recognises and supports the general objective of the policy. The use of the word 'must' can, however, be interpreted as overly restrictive.

Policy SALC H2 Market Housing

This plan supports Market Housing in the Parish within allocated sites of the SHDC Joint Local Development Plan and on infill sites within the existing development boundary. All development must meet the following requirements;

- a) Development is delivered in line with SHDC Joint Local Development Plan Policy DEV8 together with a minimum 30% provision of affordable housing.
- b) The type of housing responds to local housing needs as defined in the latest Housing Needs Survey;
- c) As part of the above consideration should be given for the increasing number of elderly in the Parish in the form of market sale sheltered, extra care or assisted living housing;
- d) All new market housing on allocated sites is subject to the Principal Residence Policy H3
- e) The design and planning of infill houses complies strictly with Built Environment and Design Quality Policies SAL B1 and Environment Policy SAL ENV 7 of this Plan.

Development of housing on land outside the settlement Boundary and within the AONB will not be supported.

It is likely that Policy DEV8 will be revised. It is suggested that the desired elements of that policy are set out in detail in Policy H2.

The final sentence appears to be inappropriately restrictive. It is suggested that an appropriate wording might be: Development of housing on land outside the settlement Boundary and within the AONB will ~~not~~ **only** be supported **in exceptional circumstances and where it is in the public interest.**

Policy SAL H3 Principal Residence

New open market housing, excluding replacement dwellings, will only be supported where there is a restriction to ensure its occupancy as a Principal Residence. This policy is as a result of impact upon the local housing market of second or holiday homes. This occupancy restriction will require the imposition of a planning condition or legal agreement. New unrestricted market homes will not be supported at any time.

Principal Residences are defined as those occupied as the residents' sole or main residence, where the residents spend 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 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 (such as healthcare, schools etc).

The Council supports this policy.

Policy SAL HW 1, Community Facilities

Development that results in the loss of community facilities and public spaces as outlined above in paragraph 6.7.1 or that results in any harm to their character, setting, accessibility, appearance, general quality and amenity value will only be permitted if they are replaced by community facilities and/or public spaces of equal or higher quality, economic viability and value to the community or it can be demonstrated they are no longer needed.

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 and other land uses in the vicinity and improve access to existing public rights of way.

Ancillary facilities must, where practicable, be accommodated in existing buildings that are of a general design in keeping with their surroundings and Policy SALC B1 and SALC ENV7.

No comment.

General comments on Open Space, Sport and Recreation

The inclusion of Theme 6 (Health and Wellbeing) is welcomed. The Plan helpfully identifies the existing OSSR facilities, including local rights of way and the South West Coast Path. Objective 6 and paragraph 6.7.1.3 support the continued maintenance and enhancement of the town's existing

community facilities as a minimum provision and acknowledge the need for additional facilities in parallel with future growth and changes to the population profile.

The preparation of a town OSSR Plan, as mentioned at paragraph 6.2.4, is welcomed. It is suggested that paragraph 6.2.4 is amended to read *“The Town Council is preparing an OSSR Plan for the parish that looks at the future needs to inform future investment in open space, sport and recreation within the Parish.”* To add weight to the town OSSR Plan it is suggested that it is specifically referenced within Policy SAL HW1, Community Facilities. Suggested text:

“New residential development on larger sites will, where practicable, be expected to deliver new community facilities, including OSSR facilities, on site. On smaller sites or where this is not practicable, a planning obligation will be sought to mitigate for the impact of new residents through new or improved provision in an appropriate location. For OSSR facilities this should be in accordance with the priorities and projects identified in the Salcombe town OSSR Plan.”

As an evidence document to support the Salcombe Neighbourhood Plan, South Hams District Council would expect an opportunity to comment on the OSSR Plan prior to its completion. The findings of key evidence documents produced for the Joint Local Plan, including the South Hams Playing Pitch Strategy (2015)^[1] and South Hams OSSR Study (2017)^[2], which includes a Greenspace Audit in Appendix 1 and a Play Audit in Appendix 4, should be taken into account within the Salcombe town OSSR Plan.

Policy SALC Env4 covers proposed Local Green Spaces and states that the justification for each site is included within the evidence base as Appendix 3. It is suggested that Appendix 3 provides a clearer justification in line with the criteria set out in NPPF clause 77. At present Appendix 3 has columns relating to ‘proximity’, ‘demonstrably special’ and ‘tranquil’. It is suggested that column headings as follows would be more useful:

Close proximity to community it serves; specify	Demonstrably special and holding particular local significance due to:						Local in character and not an extensive tract of land
	Beauty	Historic significance	Recreational value	Tranquillity	Richness of wildlife	Other; specify	

Best wishes,

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