

MODBURY NEIGHBOURHOOD PLANNING GROUP (MNPG)

Final Minutes of the meeting held on Tuesday August 15th 2017 at 7pm in Memorial Hall Meeting Room

Present: Core Members: Ann Turner (AT) Chair, Mark Lawrence (ML), Alison Wood (AW) Minutes

Co-opted members: Nicky Crawford (NC), Jeff Booth (JB),

Apologies: Charlotte Rathbone(CR), Andy Rathbone(AR), Mark Trewin (MT), Phil Smith (PS), Jon Sullivan (JS), Lynne Barnes (LB), Chris Barnes (CB), Phil Jolly (PJ), Burda Gage (BG), Rosemary Parker (RP), Nicky Shepley (NS).

Before meeting commenced AW asked if all attending agreed to her recording the proceedings, in order to facilitate accurate minutes.

1 .DECLARATION OF INTERESTS.

AT informed the meeting that the discussion of the Neighbourhood Plan Update would include discussion regarding sites.

There were no declarations of interests

2. MINUTES OF LAST MEETING AND MATTERS ARISING:

a) Amendments

Andy Rathbone, as he was unable to attend the meeting, had sent e-mail regarding an inaccuracy in the last minutes, item 3f, III "Neighbourhood Plan Update/Sites", "*Sites B (South of Dartmouth Road) and C (East of Ayleston Park) were the sites recommended by the MNPG and approved by PC and put forward in the response to the draft Joint Local Plan (JLP)*".

It was agreed that this minute was inaccurate and that the MNPG recommended sites B, C and H to the Parish Council (PC) from which the PC to choose 2 sites as part of their formal response to the draft JLP. AW to amend the minutes accordingly.

b) Actions from last meeting ;

- I. Regarding 2d, meeting with Devon County Council (DCC) Highways department. AW had e-mailed Bernard Taylor, Chair of the Parish Council. AT had also forwarded an e-mail she had received from Bernard, regarding his contact Andy Keays. (DCC, Neighbourhood Highway Officer). The outcome was not positive e.g. regarding speeds in Barracks Road, the Speed Compliance Action Review Forum (SCARF), had speed data from a 6 day survey last year showing mean speeds of around 25mph and no accidents in last 5 years, therefore no action indicated. Bernard suggest to keep pushing for meeting with Highway Dept., perhaps with the support of District Councillor to address road safety concerns in Modbury.
- II. Regarding 2e, Meeting with representatives Modbury Association of Recreation and Sports (MARS). The meeting re; Open Spaces Sports and Recreation assessment and its relationship to Neighbourhood Plan (NP), this had been arranged for July 12th, AT, CR and AW had attended. Unfortunately the MARS reps did not attend, having forgotten the date, for which they subsequently apologised. The meeting is due to be re arranged for September. However, in going through draft OSSR documents, NP members found that most objectives accord with those of NP, e.g. Safe accessibility to facilities being a key aspect in both documents. AT has forwarded draft OSSR document to Lee Bray, independent planner for NP. Cross referencing both documents will support positive outcomes for their recommendations.

2. MINUTES OF LAST MEETING AND MATTERS ARISING (CONTINUED)

- III. Regarding 2i, Draft settlement boundary. CR had offered to do this, however following the submission of the Joint Local Plan (JLP) for inspection on 31.07.17, there are ongoing decisions regarding the inclusion of sites, so the drafting of a settlement boundary is on hold until these decisions have been made.
- IV. Regarding 3c, Biodiversity data. NC had forwarded the data from Devon Wildlife Trust to AT for inclusion in NP.
- V. Regarding 3d, List of historic buildings. MT, lead of the historic environment subgroup, is away. In his absence NC said she has started to look at this, but is not sure how much detail to include as there were 140+ listed buildings.
ML suggested a straight list with brief comment such as “Residential”/ “potential for regeneration”. He also wondered whether “significant buildings in the Area of Outstanding Natural Beauty (AONB), should be considered e.g. barn in upper Poundwell. NC asked when list was needed by.
ACTION. *If possible list of historic buildings by next meeting so it could be forwarded to Lee Bray as soon as possible.*
NC added that Rosemary P has been gathering census data from 1801, which would provide valuable background for NP
- VI. Regarding 3d Work Hub. JS has made contact with someone in the Totnes and hopes they will get back to him with information that he can feed back to the group.
- VII. Regarding 3f, Meeting with David Parkes SHDC, Community Funding Projects. As arranged David met with Bernard Taylor (chair of the PC) and AT, CR, ML and PS. He explored further potential sites in Modbury for community funding projects. He did visit the small area of SHDC land in Galpin Street which he agreed was not feasible for a housing development and has now been earmarked for the development of the community orchard. Although David Parkes remains interested in a Community Funding Project in Modbury, no definite site/project has been identified to date.
- VIII. Regarding 3f, IV, exploring if land on which developers have options is registered. It had been clarified that Penn Parks does not have developer “on board at” the moment.
- IX. Regarding 3f, V, registering of historic park land.
ACTION: *MT to feedback regarding any information he has been able to gather about the registering of historic parkland,*
- X. With the amendment as noted above in 2a the minutes were agreed as an accurate record of the meeting of 11.07.17. AW to forward the final and amended minutes to the Parish Clerk for the information of the PC and to Daniel Turner website manager to be uploaded onto the website.

3. NEIGHBOURHOOD PLAN: REVIEW DRAFT

NPG group had been circulated Modbury Neighbourhood Plan, Draft version July 2017 drafted up by Lee Bray, independent planner.

N.B Headings/ quotes from this document are in Green below

- a) With regard to Accompanying Documents B “Statement of Consultations”. AW had compiled a draft list of public consultations but reports and photos etc. are to be added

ML advised consultations should include all NPG meetings which have been open to the public Also to include organisations that have been contacted even if they have not been back in touch.

ACTION: AW to complete draft Statement of Consultation.

In association with the discussion regarding consultations it was mentioned that the church had been contacted in the past.

ACTION: AW to contact Alex Hammerstein to get update regarding plans for the church to be used more for community events AT also asked if AW could enquire if there are any sustainable energy projects are being considered for the church building.

ACTION: JB agreed to check regarding sustainable energy initiatives in the MARS sports pavilion.

- b) 3. Vision and Objectives:

- I. It was considered that the vision statement appears generally satisfactory but may need some final tweaking when all comments are brought together.

- II. 3.2 Objectives

ACTION: AT to check with Lee Bray regarding understanding his comment re; housing numbers i.e.

“This objective is unnecessarily and inappropriately prescriptive. Moreover, it seems designed to limit growth (below that proposed in JLP?) rather than to deliver it. It risks failing one of the basic tests”

- III. There was discussion about the comments Lee Bray had made re; relief road objective.

- Protect a suitable route for a new relief road for Modbury.

NOTE: technically there is no longer a preferred route as such – the scheme was long ago abandoned by DCC.

After discussion that it was the aspiration for a relief road that needed protecting.

ML suggested that “Identify and protect a suitable route” would seem more appropriate objective for a future community action

- IV. JB enquired regarding the objective below:

- Seek one-way traffic operation in/up (?) Brownston St from the junction with Church St/Broad St to the junction with Silverwell Park;

AT said it was an aspiration that had been drawn from questionnaire analysis and needed to be followed up at the meeting with DCC Highways dept. (once convened) to explore feasibility.

- V. ML raised the point that the draft plan did not include an objective with an aim to retain characteristic of rural landscape e.g. protecting skylines and rural views.

NC spoke about a 2007 AONB appraisal which identified significant viewpoints.

ACTION: AT to ask Lee Bray regarding adding a protecting rural landscape objective

3. NEIGHBOURHOOD PLAN: REVIEW DRAFT (CONTINUED)

c) RE Policy MNP2 DESIGN AND CONSTRUCTION

“NOTE: This policy was already rather lengthy and complex. I have added some of the key references from the paper provided by the group, but consider that most of the requirements that paper sets out are not appropriate for inclusion in the policy. Indeed, I think some aspects the paper suggests are unduly onerous when set against national standards and requirements (although I entirely understand their local motivation). This sort of detail, if it is to be sought, should or could be set out in a design guide or an update of the VDS.”

- I. Those at the meeting were unsure whether Lee Bray’s comment re policy above referred to what he had put in the draft or to what had been sent to him previously by the NPG/

ACTION: AT to check with Lee Bray.

- II. ML observed that point (h) below did not sound overambitious, in fact the reverse, “h) At least meet the latest sustainable construction standards, minimising use of non-renewables, contributing to reducing carbon emissions, maximising solar gain, and mitigating risks relating to contamination, erosion or flooding”
- III. JS as he was unable to attend the meeting had forwarded the comments below for consideration in design and construction policy.
 - 1 car space / bedroom seems to be a high ratio, which would result in additional hard landscape.
 - Welcome development that exceed minimum space standards (DCLG).
 - Welcome housing with “Home quality mark “certified star rating of 3
 - Meeting life time housing criteria
 - Dementia friendly housing as outlined in the principles of “breaking new ground”
 - No mention of “private amenity space”.

d) POLICY MNP3: Development Site Proposals:

AT circulated copies of a document “MODBURY NP-SITE OPTIONS” (appendix A) which she had compiled to summarise evidence and arguments put forward for different choices of the way forward for the NP in light of the emerging JLP. In the document she had incorporated the comments that had been forwarded by members unable to be at the meeting tonight. AT also had circulated Lee Bray’s responses to questions raised regarding site options and the NP (appendix B)

- I. AT reported that as the group were aware, the JLP submitted for inspection identifies site H (1 field extension of West of Palm Cross site) for 40 houses and sites F&G (Penn Parks West of Modbury) for a further 40 houses.
- II. The challenge to the housing numbers, i.e. from 80 to 40 had not been acknowledged.
- III. AT noted that Lee Bray’s content in his latest draft NP did not seem to reflect what was forwarded to him. However further amendments may needed to be made in the context of the updated JLP.

AT explained that to save Lee Bray’s time and by implication keep within the budget earmarked for his services, she would gather information, comments and decisions regarding the inclusion of sites before forwarding them to Lee.

3. NEIGHBOURHOOD PLAN: REVIEW DRAFT (CONTINUED)

- IV. Lee Bray's comments to AT enquiries (Appendix B) indicate that inspector's brief is narrow, looking at what is sound and deliverable.
- V. ML and others at meeting concurred that NPG group needed advice, regarding implications of having NP at variance with emerging JLP, e.g. Can a NP progress different sites to JLP or is that out of order? What is feasible to challenge.

ML advised that a member of neighbouring Bigbury NPG, Valerie Scott, may be able to offer some guidance on this issue.

ACTION: AT to make contact with Valerie

ACTION : ML to also contact member of Ivybridge NPG to enquire if they have similar conflicts between NP and JLP, and any information they might be able to pass on regarding ways to manage these conflicts.

- VI. AT said she had also left a message for the programme officer for the JLP examination progress, enquiring about the procedure for making representations to the inspector, in order to be fully prepared.
- VII. Governance: the NPG works for the Parish Council.
The PC had voted for sites B (South of Dartmoor Road) and Site C (East of Ayleston Park) to put in the formal response to JLP, using the information provided by NPG consultations.
The next PC meeting is 11th September.
NPG to draw together information for PC prior to this meeting regarding the implications of NP site options.
- VIII. AT expressed that it was important for the group to be able work in a positive and constructive way and not to lose sight of the wider opportunities a NP would give the community.
- IX. JB asked about the benefits for a community of having a NP in place.
- X. ML gave examples of benefits, keeping developer's contribution to local infrastructure (Section 106 money) or locally identified projects, protecting open spaces and having, some control over nature of development.

4. TREASURER'S REPORT: (APPENDIX C)

- a) Thanks was noted to Phil Jolly for his treasurer's report as circulated to the meeting.
- b) AT explained as the Parish Council does not meet in August, invoices could not be paid during that month. She had therefore had to phone Devon Wildlife trust regarding the delay in payment for the biodiversity data.
- c) ML spoke of the Locality Grant needing to be spent as specified in the application
- d) AT said she had asked Lee Bray to send an updated estimate regarding his fees for his work. He also has an invoice on hold until PC meet again.

5. TIMESCALE:

- a) In the development programme the aim was to have the draft plan ready for the parish Council Meeting in September.

ACTION: *All NPG subgroups to forward any further comments regarding draft NP to AT as soon as possible.*

- b) It was agreed that exploring the implications of the JLP sites and informing the PC, may have an impact on the completion date of the draft NP/

6. ANY OTHER BUSINESS:

- a) ML said, as a point of information, he had been told that DCH were selling the Tannery Flats in Brownston Street and tenants were being relocated to DCH properties on Palm Cross Site.
- b) There be no other business the meeting ended 21.20

7. TIME AND DATE OF NEXT MEETING:

MONDAY 4th SEPTEMBER 7pm Memorial Hall Meeting Room
(*N.B. Different day of the week to usual.)

AW 08.17

Appendix A

MODBURY NP - SITE OPTIONS

JLP position: Continues to promote land to the west of the town but has moved from the original proposed large site to two smaller separate sites – Site H, west of Barracks Road (40 homes, Bloor) and Penn Parks F and G (40 homes, currently no developer involved.) The issue of estimated numbers is not addressed.

The comment repeatedly used for **objections from Modbury residents** is:-

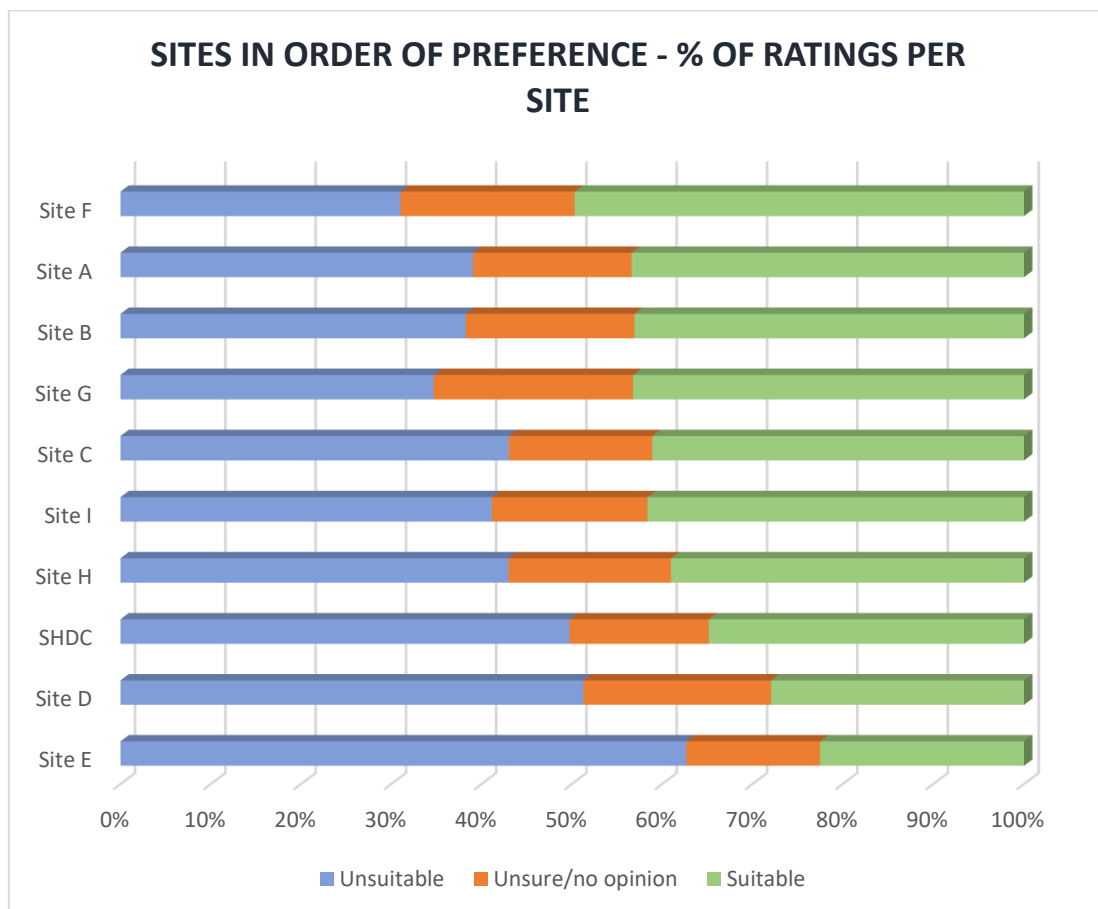
Modbury, as one of the district’s main settlements, has long played an important role in providing for housing, employment and other service needs of the town and its rural hinterland.

Through the plan preparation process a number of sites have been promoted and assessed. These have been focussed on the town's eastern and western flanks, reflecting the long-term strategic options for the future growth of Modbury. There has long been a division of opinion within the town over which of these future growth directions is best. The previous adopted plan (the Rural Areas Site Allocations DPD) allocated a site on the western side, West of Palm Cross Green, for housing and employment development. This site is now being delivered.

The Thriving Towns and Villages consultation document (July 2016) included the West of Palm Cross Green site, which had been granted planning consent for 93 dwellings and a B1 Use Class employment building, and identified a northerly extension to it to accommodate an estimated additional 80 dwellings.

Having again assessed the development options available, the Council has continued to promote development on the western side of the town. The Pre-Submission JLP allocates land immediately to the north of the consented site – West of Barracks Road – for 40 homes, on a smaller site than that proposed in the July 2016 document. A separate site nearby at Penn Park (largely PDL) is also proposed for 40 homes.

Although close to each other, the allocation of these two sites will help to break up the overall ‘mass’ of new development, which was one of the concerns about the previous single site proposal in July. For both sites, the JLP specifies ‘layout and design to be guided by landscape assessment’, which, whilst recognising the visual sensitivity of the location, provides for measures to mitigate any harmful effects on the landscape. Although this is an edge of town location, it is near to the church, parish hall, primary school, sports ground and main road bus route.



OPTIONS FOR MODBURY:

1. Accept the JLP submission and focus on emphasising connectivity with the town, rigorous site boundary (H) to prevent spread, and high quality design standards, architectural, sustainable and landscape. This is in line with stated JLP aims. Maximise use of S106 monies to facilitate other aspects of NP and OSSR for community benefit.

Explore the option of CLT on site H, (acknowledge financial considerations).

Arguments for this: Will have achieved some gains from original JLP submission of large 5 field site to 1 field and separation of sites.

Pragmatically, the owner of Penn Park site has indicated he does not wish to sell for development at this time which would allow for staged delivery of housing which is in line with community wishes. (Acknowledge that this could change if sufficient financial incentive).

Keeps the community engaged in discussion with landowners/developers to achieve best practice.

Unlikely that the Inspector is going to challenge JLP on this as it demonstrates that they have attended to at least some of our concerns (whatever we may think about this).

Arguments against: Does not meet the community wish for balanced spatial spread of development. Concern that Bloor will put in for PP on site H before NP in place, therefore potentially avoiding the impact NP recommendations on design. Issue of whether developers would argue that costs of brownfield attenuation on Site F was uneconomic for a relatively small number of homes.

2. Oppose the submission and hope to overturn it at examination.

Arguments for this: Sites proposed by the Parish Council (sites B and C), fulfil the community wish for balancing development on the east of the town. Site C is most accessible to the centre of the town and offers better potential for integration. There has already been some engagement with the landowner and developer.

Arguments against: To have two adjoining sites could essentially appear as one large site. Access to site B onto the Dartmouth road would be problematic because of safety issues and likely to run into problems with Highways. The road through Ayleston Park is apparently up to capacity for the originally designated volume of traffic/number of dwellings. Flooding has been raised as an issue by some residents although this can be countered by the current flood attenuation scheme and requirements for developers to manage run off. There are landscape visibility and features which featured in the site assessments and which need to be considered.

3. Add site C to the NP in addition to those included in the JLP to give the possibility of a CLT.

Arguments for: Possibility of working with the developer and landowner to provide this and with input from the community housing development fund. The assets manager from SHDC who runs the fund has visited the site and is interested.

Arguments against: Currently the developer is not keen on a CLT model and they do not have PP at this point. We would be likely to end up with even more houses than the current allocation. If these sites were excluded on the development boundary, they could become cheaper exemption sites for the future.

4. Oppose the submission with a compromise option. Accept site H (taking into account need to be mindful of boundaries etc.) and propose site C.

Arguments for: This would conform more acceptably with separate smaller sites and spatial distribution.

Arguments against: Road capacity issue for site C (see above). We risk ending up with an additional rather than alternative site.

Appendix B Independent Planner, Lee Bray's replies to questions regarding site options august 2017

ann.turner@hotmail.co.uk

Dear Lee,

As you will be aware the JLP has confirmed (unsurprisingly) that they are sticking with the sites to the west of the town. I note the wording of the decision mentions that they are aware of the divisions re site location and that they have acknowledged concerns about the original large site by instead nominating two smaller sites. They do not acknowledge the challenge to the numbers rationale.

From the examiner's perspective, I imagine this looks like a reasonable compromise.

The examiner's remit is surprisingly narrow. She (Inspector Wendy Burden) is basically required to be satisfied that the plan will effectively deliver against needs. I think you're very probably right that she'll decide that SHDC's position is reasonable.

We had a meeting of the NP housing group and the Chair of the Parish Council to consider our options prior to the full NPG meeting next Thursday.

This is what we mapped out as the options.

1. Accept what the submission says and show sites F,G and H with appropriate comments about the need to improve pedestrian links from F&G to the town centre (in fact the land owner has said he does not want to sell at this point). Discuss the possibility of a CLT with Bloor (site H) rather than DCH for the affordable portion. **This is a straightforward and pragmatic position to take. It will keep you engaged in the discussions.**

2. Oppose the submission and hope to overturn it at examination. **I think this would be very difficult, and you may well find that the Inspector only invites written submissions and resists a hearing. However, if you feel that your case is still strong it is probably the only way to continue to press for it.** Either delay the NP or make it site free, putting in more specific conditions as to what a suitable site would be (small, good links to town, suitable for CLT/affordable units, green spaces etc.). **I'm not sure what benefit you'd get from delaying the NP. Perhaps you're thinking in terms of letting the dust settle so that the NP isn't "tainted" by the local view of JLP?** Think it is unlikely that we can prepare a NP showing alternative sites to those in the emergent JLP. **Agreed - very complicated.** If we were successful at examination we could add in the sites at that point. **Yes, and if you were to succeed at JLP examination then the JLP would probably do that for you in any case.**

3. Develop the NP with site C as well as FGH to give a possibility for CLT. This could mean another 25 houses on top of the current allocation. **I think that it would almost certainly mean additional houses.**

A concern is that we risk losing sight of the positive aspects of the NP and community actions if we continue to fight this. However, I know that some members will be of the opinion that we should speak against the proposal at the public examination. **As I say above, you aren't guaranteed a "hearing" by the inspector and might have to rely on written representations. If you press the point hard enough she might agree to hear you in person. My personal opinion is that the inspector is likely to consider that SHDC's position is reasonable. There is much more that the NP can still do and I agree with you that to focus on fighting the JLP risks losing sight of the wider NP opportunities.**

I would welcome your view on the current situation so that I can take this to the meeting next Tuesday evening. **I hope that my thoughts above are helpful.**

On a more positive note, we are pulling together the other areas highlighted in the draft you sent and I don't think there is anything very problematical. If we could sort out the sites issue it would seem fairly straightforward. **That sounds good (and as I hoped you'd find it to be). I have been much diverted by other matters this last couple of weeks, but assure you that Modbury is still firmly in my mind and I shall aim to press ahead with supporting documents as soon as I can.**

Best wishes,

Ann

Appendix C Treasurer's Report

MODBURY NEIGHBOURHOOD PLANNING GROUP
FINANCIAL INFORMATION for the period 1st April
 2017 to 31st March 2018

	Parish Fund		'Locality' Restricted Fund	
	£p	£p	£p	£p
TOTAL FUNDS b/fwd as at 1st April 2017	£	21.34		-
INCOME 1st April 2017 to 31st March 2018				
Grant from Modbury Parish Council 1Apr17 - 31Mar18		2,500.00		
Grant from 'Locality' 16May - 15Nov 2017				<u>3,643.00</u>
	£	<u>2,521.34</u>		£ 3,643.00
EXPENDITURE 1st April 2017 to 31st March 2018				
Room hire - NPG meetings			(140.00)	
Daniel Turner - website maintenance inv 10,11 & 12			(360.00)	
Lee Bray - consultancy inv 0005 & 6			(750.00)	
Devon Wildlife Trust survey (ex VAT £12.90)		(64.50)		
				<u>(1,250.00)</u>
TOTAL FUNDS AVAILABLE AT 15th August 2017		<u>£ 2,456.84</u>		<u>£ 2,393.00</u>

NOTES :

- All funds are held and accounted for by the Modbury Parish Council.
This schedule is for the information of the NPG only.
- The Locality grant is restricted as it can only be spent on the items specified in the application.
Any unspent funds have to be returned at the end of the grant period and a new application made.
Applications can only be made for 6 month periods or up to the end of the financial year whichever is shorter.
- Locality budget summary (16May17 - 15Nov17)

	Budget	Expenditure	Balance remaining
Professional fees (Lee Bray)	3,143.00	(750.00)	2,393.00
Website maintenance (Dan Turner)	360.00	(360.00)	-
Room hire (Modbury Memorial Hall)	140.00	(140.00)	-
	<u>£ 3,643.00</u>	<u>£ (1,250.00)</u>	<u>£ 2,393.00</u>

- The above assumes that invoices sent to the Parish Clerk have been paid promptly. In fact there can be a delay of several weeks particularly in the summer months.

PMJ
 14th August 2017