

# PAIGNTON NEIGHBOURHOOD FORUM

- Blatchcombe
- Clifton with Maidenway
- Goodrington, Roselands & Hookhills
- Paignton Town
- Preston



## **MINUTES OF A FORUM AND STEERING GROUP MEETING**

held at the Gerston Chapel Hall, Torquay Road, Paignton  
at 6.30pm Thursday 27<sup>th</sup> February 2014

[www.paigntonneighbourhoodplan.org.uk](http://www.paigntonneighbourhoodplan.org.uk)

[www.torbay.gov.uk/neighbourhoodplanning](http://www.torbay.gov.uk/neighbourhoodplanning)

### **In Attendance:**

A. J. Bonfield, Pam Bristow, Roger Bristow, Tracey Cabache, Anne-Marie Curror (Minutes), Ian Curror, Eileen Donovan, Lorna Gardner, John Gibson, Louise Gilson, Mike Gotham, Roger Green, Paula Hermes, Alan Hill, Carol Hill, John Hill, Janet Jones, Nigel Jones, John Krol, Helen Kummer, Aaron McCluskey, Sam Moss, Melvyn Newbury, Mike Parkes, David Pickhaver, M Rolfe, R.E.Rolfe, Ken Rowe, Richard Stevens, Jennifer Tyrrell, Ann Waite, David Watts (Chairman), David Wotton.

### **Apologies:**

Cllr Jane Barnby, Jane Brooksbank, Cllr. Stephen Brooksbank, Cllr Dave Butt, Alan Denby, Sally Grant, Eddie Harris, Colin Hurst, Cllr Christine Scouler, Cllr Alan Tyerman

### **AGENDA ITEM – 1. APOLOGIES RECEIVED AND WELCOME**

David Watts, the Chairman welcomed everybody to the meeting and thanked Gerston Chapel for hosting the meeting. Apologies were received as listed above.

### **AGENDA ITEM – 2. MINUTES OF THE LAST FORUM MEETING (23<sup>rd</sup> January 2014) AND MATTERS ARISING**

Mike Parkes thanked Anne-Marie Curror for taking the Minutes which the meeting endorsed unanimously.

**2.a.** Melvyn Newbury proposed that the Minutes of the Forum and Steering Group Meeting held on 23<sup>rd</sup> January 2014 be agreed as a true record; seconded by Sam Moss and were accepted unanimously.

#### **Matters arising:**

- Playing Pitch Strategy: Work on this is still in progress and there is no change to report.
- Planning Appeals: Churston (Bloor Homes) - Public Inquiry starts on 25.3.14
- Collaton St Mary (Taylor Wimpey): This last minute appeal is taking place but the timetable is not known at present. David Pickhaver said he would give the Forum the dates when he knows them. All former objectors will be notified. There will be a Public Inquiry and deadlines are tight. Roger Bristow commented that the NPPF is only guidance, whereas the Localism Act is law. David Pickhaver replied that the NPPF is treated as law. David Watts reported on a relevant Court of Appeal decision (December 2013) which was crucial to interpretation of NPPF paragraph 47 and on 5 year land supply. The Council says it already has a 5 year land supply but it appears that meeting the need is not an absolute, and other matters are also to be taken into account in appeal decisions. Nigel Jones said he had researched on the 5 year supply and thinks it will be a central issue. The Forum needs to support 100% that there is a 5 year land supply. NJ said that Cheshire had proved and published its 5 year supply. DW replied that it is in the new Local Plan. DP added that the Housing Land Monitor for Torbay is published on the web and states there is a 5 year supply. NJ said that the old LP called Collaton St Mary a 'Countryside zone' whereas on the new LP it is called an 'Area for development'. The application assessment possibly dates from 2011 and the new LP is from 2012. DW added that the Council states on pages 60/1 of the new LP that it will not go below 400 new dwellings per annum. This is not as previously discussed. The application is exactly the same and the developers are appealing against the six reasons given by the Council. The Forum needs to decide in due course if it wants to stand with the Council or object

separately. There has been a habitat assessment and the NPPF states that the presumption in favour of sustainable development does not apply where a habitat assessment has been made. Sam Moss asked whether the new or old Local Plan would be referred to in the appeal. DW replied that the old 2004 plan is still valid and the new one will carry less weight, as it is still a pre-deposit version.

(iv) **Edginswell Tesco:** This appeal is not in yet. Previous objections have assumed that the Tesco development in Brixham is taking place. However there is a difficulty over a right of way over this site; a road closure requires Department of Transport approval but planning permission has to be granted before this can take place. No consent has yet been given for Brixham Tesco. Numbers of shops and shoppers in the area are also likely to be issues.

### **2.b. Forum Resources**

The budget is on target. The timescale for the Locality grant will need to be extended and an application for this has been made.

## **AGENDA ITEM – 3. NEW LOCAL PLAN**

### **3.a. Process:**

(i) The pre-submission draft of the Local Plan is now on deposit and is available for representations for 6 weeks. The deadline for all representations is 9.00am Monday 7<sup>th</sup> April 2014. The Council will respond to the representations in the summer. The plan plus the representations and responses will go to the Secretary of State. An independent Planning Inspector will be appointed to consider and report on all of these following a Public Inquiry. The representations will go untouched to the Sec. of State and each representation must be presented separately, complete in itself, with all its supporting evidence. The Forum and individuals can each make representations but it will involve a lot of work. If the Council wants to change its ideas as a result of our representations, they can tell the Sec of State.

(ii) Nigel Jones wanted to know where hard copies of the LP could be found. David Wotton said that it is very difficult to read it on-line and refer to supporting documents as well. Printed copies cost £100 but there is a printed copy in all the local libraries. However it is free to read it on-line but not clear if all the supporting documents are also on line.

(iii) Helen Kummer asked if the Soundness test is still applicable, to which the reply was yes. DP referred to the NPPF paragraph 182, which refers to the Soundness test. Citizens can object if the LP does not fulfill its legal duties and also if it does not co-operate with neighbouring areas.

(iv) There is a leaflet on-line which gives the format for representations. As a Forum we may be invited to the Public Inquiry. The Inspector will choose which matters to examine at the Public Inquiry and will invite applicants to participate. The quality of the representations matters.

### **3.b. Content:**

(i) DW summarized the content of the LP. It has 75 policies and 42 proposals maps. DW has met with leading members of the two other NPs and they confirm will work together with us.

(ii) Sam Moss said that local residents wanted the importance of preserving Victoria Park recognized and many of them feel strongly. 6,368 signatures were collected across Torbay on a petition of whom 5,701 were registered Paignton voters, which is 13.25% of the areas population. DW said that this information could be attached to the submission by the Forum to support it, and to support the proposed NP policy. Mike Parkes said that about 6 years ago there was a huge storm over Council plans to build in Yalberton Valley and that many people objected to this and said the valley should be preserved. However he does not have any figures to back this up, as evidence. The Council has not up-dated its assurances to protect Yalberton Valley. It was agreed this should be pursued in our representations.

### **3.c. Response decision timetable**

(i) The NF meeting on 27<sup>th</sup> March will be the latest time to raise response decisions to the LP from members. DW asked for volunteers to read areas of the LP, and form responses, which can then be collated and brought to the Forum. Members could email their comments to the Forum website via [info@paigntonneighbourhoodplan.org.uk](mailto:info@paigntonneighbourhoodplan.org.uk) to share a view. DP offered his (office) telephone number so that he could give advice if anyone needed it: 01803 208814.

(ii) The question was asked if we would be compromised by the early stage of our NP. DW replied that we could use our ideas to question the policies in the LP, eg Climate change, old drainage systems and flood risk. Planning Permission is sometimes given on condition that developers address changes to infrastructure, but with growing concern about the viability of solutions it may be more justified to refuse consent where acceptable solutions are not submitted at the outset.

(iii) It was decided that rather than a few individuals volunteering, everyone present (and absent members) should look carefully at some area of the LP and form a response, to bring back to the next meeting. Tracey Cabache said that each chairman of the Community Partnerships would be given a printed copy of the LP (5). They needed to collect their copies and make them available to members. Melvyn Newbury said that some of the evidence documents could be found at Torbay Town and Country Trust office. DP said that he would give a copy and a pdf of some of the evidence documents, but that if anyone needed a particular document they could ring him. Louise Gilson volunteered to collect a copy of the LP which she would make available to anyone who needed it.

(iv) Paula Hermes asked about fracking in the LP. DP said that no fracking was being planned although there is a policy on mineral extraction. Sam Moss pointed out that the license area for fracking extended as far as Kingsbridge.

(v) DW said that if members feel a policy is missing they could raise it but it has to be land use based. He pointed out that the Forum needs to cover all policies in the plan, and that members should email via [Info@paigntonneighbourhoodplan.org.uk](mailto:Info@paigntonneighbourhoodplan.org.uk) to say which policy they are looking at. He suggested that members fill in the response form, found on the Council website, so that they are used to the format. He would like to see responses by **20<sup>th</sup> March** before the next meeting so that they could be collated and circulated prior to the meeting. Mike Parkes suggested emailing the absent members.

#### **AGENDA ITEM – 4. NP PROJECT PLAN PROGRESS**

##### **4.a. Stage 3 - Input from Goodrington, Rosehills and Hookhills CP**

(i) Tracey Cabache put up an exhibition of display boards that had been used at four venues in the consultation of this CP. There were still two more venues to go, as they had been delayed by bad weather. The CP steering group will meet on 10<sup>th</sup> March. She pointed out there that there was no obvious centre to this area as it is mainly residential.

(ii) The CP has engaged with 100 people so far. 67% were residents of the area and 83% were registered voters in Paignton. 46% were over 55 and participants were asked about three main areas, of which Clennon Valley was very important. The Council put ideas forward to improve it and participants voted on these ideas. Residents wanted protection for areas they valued and there were new ideas from residents, mostly about green spaces. There was a large majority of residents opposed to housing development on the two proposed sites. Many felt there should be no further development without road improvements.

(iii) There is to be further consultation at the Leisure Centre on 14<sup>th</sup> and 15<sup>th</sup> March regarding the proposed Leisure Centre and related proposals. Plans are to convert the present swimming pool into a children's pool and build a new larger pool for adults. Roseland School is to be expanded to deal with the extra planned housing at White Rock etc. She distributed written copies of the results of this consultation which it was agreed will be placed on the Forum website with the other CP inputs.

(iv) Nigel Jones commented that Blatchcombe had not had any similar help from the council in gathering and presenting ideas in a similar way.

##### **3.b. Stage 3 - Torbay Retail Review**

This Review was by the Consultants GVA.

Summary

- There was a quantitative fall in need since the 2011 study, due to falling expenditure by shoppers and additional stores in the area.
- There was no need for additional food stores in Paignton and Brixham (beyond the proposed Tesco).
- There was very little long term need for non-food floor space in Paignton and Brixham
- There was some capacity for bulky goods floor space at about 1,500 sq metres by 2021, rising to 6,300 sq metres 2031.

DP said that when applying for planning permission, developers do not have to show a need for building shops, but they do have to show that it will not harm existing shops. Melvin Newbury commented that there was no information on small businesses and their success or otherwise, available. DP said that the Torbay Development Agency has a website which records small businesses.

**AGENDA ITEM 4– Next Meeting**

The next meeting of the Forum will be on Thursday 27<sup>th</sup> March at 6.30pm in Gerston Chapel Hall (Gerston Place entrance). All meetings to start at 6.30pm, for target completion by 8.30pm.

Future meetings were agreed as follows, noting that it was impossible to avoid clashes on occasions with school holidays or council meetings that were only provisional currently.

Forum	Thu 27 March 2014	Gerston Chapel Hall
Forum	Thu 24 April 2014	Gerston Chapel Hall
Forum	Thu 29 May 2014	Gerston Chapel Hall
Forum	Thu 26 June 2014	Gerston Chapel Hall
Forum	Thu 24 July 2014	Gerston Chapel Hall
Forum	Thu 28 Aug 2014	Gerston Chapel Hall
Forum	Thu 25 Sep 2014	Gerston Chapel Hall

The Meeting closed at 8.47pm