

# PAIGNTON NEIGHBOURHOOD FORUM

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



## **DRAFT MINUTES OF A FORUM & STEERING GROUP MEETING**

held in the Gerston Chapel Hall, Torquay Road, Paignton  
at 6.30pm Thursday 21 January 2016

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

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

### **In Attendance:**

Adam Billings, Jim Bonfield, Carole Box, Pam Bristow, Roger Bristow, T. Brooks, Anne-Marie Curror, Ian Curror, Eileen Donovan, Paula Hermes, Alan Hill, Helen Kummer, Leaf Lovejoy, Sam Moss, Mike Parkes (Minutes), John Phillips, David Pickhaver, Richard Stevens, Ann Waite, David Watts (Chairman).

### **Apologies:**

John Gibson, Eddie Harris, Cllr Ian Doggett, Karen Jemmett, Jennifer Tyrell.

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

1. The Chairman welcomed everyone to the meeting and thanked Gerston Chapel for the use of their hall. Apologies received were as listed above. DW went on to explain that just before the meeting he had received a letter from the Head of Spatial Planning, Patrick Steward, that would be relevant to Agenda item 3.b. It was agreed that this should be added to the agenda and discussed at the end of the set Agenda.

### **AGENDA ITEM – 2. DRAFT MINUTES OF THE LAST FORUM & STEERING GROUP MEETINGS AND MATTERS ARISING:**

2.a. (i) Special Forum & Steering Group Meeting held at South Devon College on 15 Dec 15. DW confirmed that the letter responding to the LDO application at para 2.c.(ii) had been submitted ahead of the deadline and a copy posted on the Forum website. With no other matters arising, the draft minutes of this meeting were unanimously agreed a true record. Proposed by Eileen Donovan and seconded by Roger Bristow.

2.a.(ii) Forum & Steering Group Meeting held at Gerston Hall on 17 Dec 15. Matters arising with regard to St Michael's Community Centre Proposal (Item 3 (i)): EH had written requesting that the bullet points should be factually amended to read:

- 1<sup>st</sup> Bullet point: "St Michael's Playing Fields were granted Jubilee status in 2012 and a Deed of Trust was signed between Torbay Council and Fields in Trust".
- 2<sup>nd</sup> Bullet point: "On 13.6.2013 the Council as landowner gave consent for a community / sports facility on the field".
- 3<sup>rd</sup> Bullet point: "13.6.2014 Fields in Trust gave their consent to a building as the terms of the Deed of Dedication do permit ancillary buildings. The whole plan is subject to reports on habitat, flood risk and loss of green space - NPPF74 allows for loss of green space in specific circumstances".

Following some discussion, the above wording was agreed subject to the point made at para 3 (iii) i.e. "the report should be noted and further consideration deferred until more detailed information is available" etc. DW confirmed that the two letters referred to in para 3.b / Collaton St Mary and para 3.b. / Torbay Future Transport Projects had been sent and copies placed on the Forum website. With no other matters arising, the draft minutes of the meeting held on 17 Dec 15 were then agreed a true record. Proposed by Alan Hill; seconded by Roger Bristow and approved unanimously.

2.a.(iii) Forum Budget Update.

The end of year summary was confirmed as:

- Bank balance as at 21 Jan 16 = £2,062.00.
- DCLG & Locality money held by the Council on the Forum's behalf = £19,216.42.

### **AGENDA ITEM – 3 PROJECT PLAN PROGRESS – STAGE 3**

3.a. **Local Plan** : DP confirmed that the period of statutory Judicial Review came to an end on 20 Jan 16. This also meant that there was no raised objection to the Paignton Neighbourhood Forum Plan proceeding as planned.

3.b. **Neighbourhood Plan** – **“Appendix 4: General conformity with the strategic policies of the development plan and other development documents”** (a draft insert to the Compliance and Basic Conditions Statement). With a reminder that members had been requested to examine this document prior to attending the meeting, DW then displayed it on screen, page by page. The document's importance was emphasised in that once agreed it would eventually be submitted to the Independent Assessor. The following points were recorded as each page was discussed:

(i) The NP policy document had to be “In general conformity with the LP. DW referred again to Item 1 regarding the letter of comments received from the Council which the meeting agreed to consider immediately after discussing the draft of Appendix 4.

(ii) DP thought that the final LP would not be printed and available for distribution until March 2016; this led to a concern re the Authority's expectation that Neighbourhood Plans should be completed by the end of March! The point was made, therefore, that the Authority still only had an emerging LP. DP explained that certain documents of 10 Dec15 still needed collating and refining. DW pointed out that one of the Forum's major concerns was that the emerging LP was still quoting a figure of 8 to 10,000 houses as a requirement and that it was critical for the production of Neighbourhood Plans that the exact figure was confirmed without delay.

(iii) A-MC queried why NPs had to be submitted by March; DW explained that the Planning Inspector was hoping that it would provide a target date for the three forums concerned to allocate sites together. However, in reality, forums have 5 years in which to complete their plans i.e. until December 2017 and the Planning Inspectorate is unable to change this.

(iv) Page 1, para A4.6 identifies the **strategic policies**: In accordance with PPG-067, the Council confirmed to the Forum on 19 November 2015 (by email) that the strategic policies of the new Local Plan are those contained in: Part 4 - entitled “Spatial strategy for strategic direction”; Part 5 - entitled “Strategic delivery areas; Part 6 (in part) - entitled “Policies for managing change” that need to be assessed against NPPF156 and PPG21-017-05. Table 4.1, page 2 also refers.

(v) Para A4.10: **sustainable growth of jobs and homes** sits at the core of the development plan strategy and that the Local Plan strategy overall is to “plan, monitor and manage” for net growth of jobs and homes within Torbay's remaining environmental capacity. It is not a strategy of “predict and provide” (para A4.11). A key aspect is to plan “**in tandem**” for 5,000-5,500 net growth of jobs (from a total of 59,000 in 2012) plus 8,900 additional homes (para A4.12). The meeting agreed that the included sentence was a fair reflection of the LP Examination outcome and Inspector's report: “if net job growth exceeds expectation, the plan is to increase housing within Torbay's remaining environmental capacity”. Conversely, if net job growth is less successful, the plan is to revise housing growth downwards to ensure sustainable balance (para A4.13). DP had concerns re the figures being used at para A4.18 but DW was of the opinion they mirrored the LA's own figures in the letter received dated 12 November 2015. Nevertheless a further check would be made.

(vi) Table 4.2, page 4, LP Trajectories are collected from those shown in the current emerging LP. Referring to A4.17, page 4, concern was expressed by the meeting regarding the LA's change of stance on job creation in that for Yannon's Farm (2<sup>nd</sup> stage development) the number of projected houses was increased at the expense of a decrease in employment opportunities contrary to the recommendation in the Employment Land Review by the Council's consultants. The meeting agreed it was therefore appropriate to take the changed housing provision into account when considering site provision elsewhere in the NP area.

(vii) Windfall Sites are areas that can accommodate between 1 to 5 houses. Referring to A4.22, RB has in reality identified in excess of 130 actual consents per annum. Sites with ‘consents’ outnumber ‘completions’. (A ‘windfall site’ cannot be a replacement, there must be a net gain of at least one). TB

asked if the Forum had compiled a list of windfall sites. DW replied that a comprehensive list had been compiled and shows much more than an excess of 50 but this had not yet been finalised.

(viii) Following discussion on proposed housing sites at table 4.7, page 8, DW referred to the current planning application (P/2015/0709) for the development of the motel site in Collaton St Mary and called for volunteers to help with an examination of the application.

(ix) Referring to development site HC213 on the map at page 12, it was pointed out that this was a re-occurring error on LA documentation. The site was not in the Paignton Neighbourhood area but in Brixham's. TB noted this and said that it was because the sites had been identified by towns as opposed to Neighbourhood areas. She added that it was only a small development. The meeting agreed the site should be excluded from Paignton's NP and the table adjusted accordingly.

(x) The meeting noted and agreed that the sites shown in green are those already identified as available in the 5 year supply notified to the LP Inspector by the Council, those in yellow have been supported by the SHLAA, and those in red are not appropriate to identify as deliverable or developable prior to further major Review in 2020/21 because of unresolved constraints and community opposition to their inclusion.

**Letter from Spatial Planning dated 21 Jan 16.**

(xi) Referring back to the start of the discussion, DW said that Patrick Steward had requested that his letter be read and discussed at the meeting. DW then displayed a scan of the letter and the meeting went through the contents in great detail. Points raised included:

(xii) On 19 November 2015, David Pickhaver's email confirmed that Forum's Compliance and Basic Conditions Statement had identified the correct legislation and guidance that the Forum is required to follow. The further confirmation was welcomed by the meeting.

(xiii) PS reference to the second email of 16 December 2015 is not correct. Table 4.3 of the Forum's draft Appendix 4 has followed exactly the same trajectory as set out at the top of page 2 of the LA letter of 12 November 2015. At paragraphs 5 and 9 of that letter it was made clear that the decision had been arrived at after "a lot of thought". The same trajectory has also been published in the revised draft of the Adopted Local Plan (paragraph 4.5.48) on the Council's website, the Forum has therefore taken it to be the correct one to incorporate.

(xiv) It was unanimously agreed that the Forum was not "attempting to phase development artificially". However it was agreed to re-examine figures in order to make it clear why the phasing shown had been adopted.

(xv) The observation that the Forum is over-relying on small Windfall sites is not correct. The provision allowed for in Table 4.4 reflects fully with the contents of the LA letter of 12 November 2015. Table 4.7 of the Forum's Appendix 4 shows that the mix of specific sites is one of both large and small sites in exactly the same manner as the Council submitted to the Inspector in the 5 year supply shown in PH21 and which the Inspector accepted.

(xvi) It was noted that extra comments will be provided by David Pickhaver in time for the next Forum Meeting.

(xvii) Concern was expressed regarding correct policy wording: the Local Plan policy is to provide for a net growth of jobs, not new jobs.

(xviii) The trajectory being followed accords with the Local Plan as modified by the Inspector to take account of the NPPF requirement.

(xix) 5 year supply: the three Neighbourhood Plans are individual development plan entities as well as collectively covering 100% of the Local Plan area. It was regarded as illogical to claim that failure in one Neighbourhood Plan area means allowing unsustainable development contrary to a Neighbourhood Plan in another part of Torbay

(xx) Forum members were requested to bring any further comments to the next meeting on 18 February 2016. In the meantime, it was agreed unanimously that the Draft of Appendix 4 be

amended as referred to above and added to the Draft of the Compliance and Basic Conditions Statement. In addition, DW to write a holding reply to Patrick Steward highlighting the points above.

**Latest Monitoring Results – Jobs and Housing**

(xxi) The meeting noted in discussion of the above that the number of jobs within Torbay had continued to decline thereby adding to the growing imbalance between jobs and housing supply.

**AGENDA ITEM – 4. DATE OF THE NEXT MEETING**

The date of the next meeting is Thu 18 Feb 16 at 6.30pm in the Gerston Hall, Paignton with further dates agreed as:

- Thu 17 Mar 2016
- Thu 21 Apr 2016
- Thu 19 May 2016
- Thu 16 Jun 2016
- Thu 21 Jul 2016
- Thu 18 Aug 2016
- Thu 15 Sep 2016
- Thu 20 Oct 2016
- Thu 17 Nov 2016
- Thu 15 Dec 2016

The meeting closed at 2030hrs