**Questions for Clarification Brixham Peninsula Neighbourhood Plan.**

**I am Deborah McCann, the independent examiner of the Brixham Peninsula Neighbourhood Plan. I seek clarification on the following policies/supporting information. These questions are directed to the Neighbourhood Plan Forum.**

1. **Allocated Sites**

H3-10

Waterside Quarry (10)

I have received numerous representations, including an objection from Torbay Council in connection with the above allocation. I would like clarification on the following points:

* Size of site and its boundary.
* Whether or not the site is part of an Urban Landscape Protection Area.
* Is access to the site achievable and deliverable?
* Ecology. The BPNP is supported by a Habitats Regulations Assessment (HRA) which indicated that there would be no likely significant effect on the South Hams Special Area of Conservation (SAC) as a result of the housing allocation at the Waterside Quarry site. This was on the premise that the Waterside Quarry site was not used by greater horseshoe bats (Rhinolophus ferrumequinum). Torbay Council contest this view:

“We would contest that the conclusion of no potential effect on GHB reached by Aecom for Waterside Quarry is not based on all of the available information, as the Green Ecology records do not appear to have been considered. We would recommend that this site allocation is assessed again, with a presumption that the site is used by GHB and recognising the presence of a GHB roost immediately adjacent, before determining whether or not a significant effect on GHB (and subsequently the South Hams SAC) is likely for Waterside Quarry”.

Please clarify the BPNP’s position on this conflicting information.

H3-12

St Mary’s /Old Dairy (25)

I have received representation that the allocation has been reduced in site from the one identified in the previous Torbay Local Plan but that the site yield has not been reduced proportionally. Please clarify why?

H3- 13

St. Kilda (12)

I have received representation regarding the Flood Risk relating to this site. How has this been taken into consideration when assessing the deliverability and yield of the site?

Please clarify the differing yields identified in the AECOM report -7 and the BNP 12.

H3-1BNorthcliffe Hotel (15)

Please clarify whether or not this site is subject to a Tree Preservation Order and if so the impact this has on the yield.

H3-15

Torbay Trading Estate

Can the site achieve both 200sqm of employment and 15 dwellings?

**H3-18**

**Former Jewson Site (20)**

Please clarify why this site has been included when it was not included in the Housing Site Assessment.

Torbay Council object to the loss of employment land which would result from this allocation. How does the NPF address this objection?

How has the fact that part of the site lies within a flood risk area been taken into consideration when looking at the yield of 20 units from the site?

1. **Local green Spaces**

Please confirm whether or not the owners of the proposed Local Green Spaces have been consulted and whether or not any objections have been received other than TDA objections.

**Berry Head**

Please clarify why part of the Landscove Holiday Park has bee included in the proposed designation.

**Churston Golf Course**

Please clarify how Churston Golf Course meets the NPPF tests for designation as a Local Green Space.

**3.Strategic Environmental Assessment (SEA)**

Please clarify why the update of the AECOM report for the Regulation 16 submission did not cover all the issues raised in the Torbay Council response to the Regulation 14 SEA report.

**4.Habitat Regulation Assessment (HRA)**

Please clarify why the update of the AECOM report for the Regulation 16 submission did not cover all the issues raised in the Torbay Council response to the Regulation 14 SEA report.

**5.The Garden House, Berry Head, Brixham, TQ59UH**

I have received representation that on page 6 of the Policy Plans document the Plan of Berry Head has a boundary line that divides land, within a single ownership, into two parts. Please clarify the reason for this.

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