

1 Waterside View  
Paignton  
TQ4 6EF  
(redacted)

1<sup>st</sup> July 2018

FAO Deborah McCann  
Independent Examiner

**Re: Brixham Peninsula Neighbourhood Plan**

I wish to take issue with the response to your questions by the BPNP Forum dated 18<sup>th</sup> June 2018 concerning **Waterside Quarry H3-10** as there appears to be some inaccuracies:

**“Size of site and its boundary”**

Para 2 of the reply states the area as .79ha.

In fact the site is two separate pieces of land. The lower part (A) being .36ha and the higher part (B) .30ha making a total of .66ha. (Information taken from details supplied by Torbay Council when the two pieces of land were sold as *Amenity Land* on 16<sup>th</sup> June 2014).

These two totally different parcels of land are separated by approximately 140 metre long boundary which is the cliff face of the old quarry and therefore significantly reduces the area of possible land usage even further.

**“Whether or not the site is part of an Urban Landscape Protection Area”.**

Para 11 of the reply mentions the consent for 3 houses on adjoining land, planning application P/2008/1350, where the planning officers gave their reasons for approval in an ULPA.

What is not mentioned is the fact that the planning consent was given subject to a **Section 106 agreement** on tree planting and other landscaping enhancements which had to include the adjoining land (B) shown above, which at the time was owned by Torbay Council .

100 Crataegus Manogyna (Hawthorn) were planted on the consented land and the adjoining land (B) which is now part of H3-10.

This Section 106 planting would be partly destroyed should the allocation for housing H3-10 remain part of the approved neighbourhood plan. This would invalidate the reasons given by Torbay Council for planning consent back in 2009. Surely this should not be allowed.

In the overall scheme of the Neighbourhood Plan, one has to ask why the Forum have answered your questions with a very long and detailed 64 paragraph letter.

Yours sincerely

Alan Jeavons