

## Dolphin Response Analysis

### Dolphin Consultation Planning Brief: April 2004 Response Analysis

Respondent and Date	Respondent's Comments	Council Officers' Comments
1 South Devon AONB Unit 07 May 04	<p>1.Welcome quest to secure a really high quality development of this difficult site</p> <p>2.Trees and Hedges – overall requirements welcomed</p> <p>3. Relationship between trees and domestic curtilages should be spelt out</p> <p>4.Large trees and former agricultural hedge boundaries should be taken out of curtilages</p> <p>5.Protection of trees during construction should be referred to earlier in the document</p> <p>6.Repair of hedgebanks should be addressed in Landscaping section</p> <p>7.Welcomes intention to keep/manage some fields for open space and nature conservation</p> <p>8.Inherent conflict between conservation management one the one hand and providing pedestrian and vehicular through routes; greater clarity needed on the range and intensity of uses</p> <p>9.Clarity ownership and maintenance responsibilities for open spaces, public rights of way, lighting, litter, dog waste – and what standards will the Council commit itself to?</p> <p>10.Greater clarity needed on enhancements to Sharkham Point and St Mary's Bay</p> <p>11.Consistent AONB terminology needed throughout</p> <p>12.Clarity extent of urban stopline</p> <p>13.Explain Local Plan Policies L3 and L5</p> <p>14.Brief should specify a more imaginative approach to developing roads in a people-centred environment</p>	<p>1.Noticed</p> <p>2.Noticed</p> <p>3.Some trees will be inside domestic curtilages</p> <p>4.This is not viewed as realistic</p> <p><b>5.Recommend: Reference to be made in Brief to protection of trees during construction</b></p> <p>6.Noticed, but beyond scope of Brief.</p> <p>7.Noticed</p> <p>8.Good design and management should enable this conflict to be overcome; see comments of TCCT [2] below</p> <p>9.Noticed, although greater detail than that included in Figure 2 is considered to go beyond the scope of Brief</p> <p>10.Noticed , although Sharkham Point is outside Brief and the detail is beyond the scope of Brief</p> <p><b>11.Recommend: Consistent AONB terminology to be used in Brief</b></p> <p><b>12. Recommend: Clarify extent of urban stop line</b></p> <p><b>13.Recommend: Set out Policies L3 and L5 in Brief</b></p> <p>14.Paras 6.66 – 6.70 explain the principles of sustainable transport and circulation, which are based on promoting a people-centred environment</p>
2 The Countryside Agency 11 May 04	1. No comments	1. Noticed
3 Torbay Coast and Countryside Trust 11 May 04	<p>1. Supports comments of S Devon AONB Unit</p> <p>2. Combination of wildlife conservation and high levels of recreational use can be managed successfully</p>	<p>1. Noticed</p> <p>2. Noticed</p>

4 Barbara Clark 13 May 04	<ol style="list-style-type: none"> <li>1. Concern re level of consultation on scoping opinion</li> <li>2. Concern re implications of Landfill Directive</li> <li>3. Concern re clearing hazardous metals from the site</li> <li>4. Concern re methods of removal of asbestos from the site</li> <li>5. Concern re role of EIA</li> </ol>	<ol style="list-style-type: none"> <li>1. Full consultation took place</li> <li>2. Landfill Directive is reclassifying landfill sites, not waste from brownfield sites, such as Dolphin</li> <li>3. Clearing of hazardous metal is covered in Appendix of Brief</li> <li>4. Although the new Asbestos Regulations do not apply to this site, HSE will enforce the controls in place</li> <li>5. EIA will be linked closely to the Brief</li> </ol>
5 Torbay Development Agency 19 May 04	<ol style="list-style-type: none"> <li>1. Welcome removal of eyesore</li> <li>2. Loss of tourism not seen as an issue</li> <li>3. Suitable barrier between residential and nearby holiday parks needed</li> <li>4. Need adequate community facilities, e.g. toilets and cycle racks</li> </ol>	<ol style="list-style-type: none"> <li>1. Noted</li> <li>2. Noted</li> <li>3. Agreed; the Brief establishes a planning framework for achieving this</li> <li>4. The Brief does provide several facilities, but not toilets and cycle racks</li> </ol>
6 Malcolm Efford 10 May 04	<ol style="list-style-type: none"> <li>1. The shops/local centre are not viable/ not needed</li> <li>2. Objects to closure of middle part of Briseham Road</li> <li>3. No houses should be built to the seaward side of the burnt out central complex [entertainment centre]</li> <li>4. There are flooding problems</li> </ol>	<ol style="list-style-type: none"> <li>1. <b>Recommend: Amend para 6.50 to delete 'shopping' and to refer to a community centre, in which shops would be an appropriate use; also amend notation on Plan 8 from 'Proposed Shops' to 'Proposed Community Centre'.</b> The idea of a community centre, however, is strongly supported by the local community</li> <li>2. There are significant benefits in discouraging extraneous traffic from Briseham Road through closure of the central section of the road to vehicular traffic</li> <li>3. The brief does 'claw back' a section of existing derelict chalet development to open space/countryside, although not as far inland as the former entertainment complex</li> <li>4. The EA were consulted on the Brief, although they have not yet responded. However, they did not object to the Local Plan proposals for Dolphin, and this is taken as an approval in principle to the quantum of development proposed in the Brief. The proposed SUDS drainage system is in accordance with EA policy.</li> </ol>
7 English Nature 24 May 04	<ol style="list-style-type: none"> <li>1. Involved in preparation of the Brief and the EIA work, and this work has been incorporated into the Brief. Therefore no further comments.</li> </ol>	<ol style="list-style-type: none"> <li>1. Noted</li> </ol>

<p>8 Rev Annette Powell 26 May 04</p>	<ol style="list-style-type: none"> <li>1. None of concerns raised by Brixham residents who objected to the Local Plan have been taken into consideration in the Brief</li> <li>2. Lack of play space for the community in the Brief</li> <li>3. Community's needs need to be taken into account</li> </ol>	<ol style="list-style-type: none"> <li>1. All the objections to both the Local Plan were considered by the Council; issues such as affordable housing, open space, community centre, better access to St Mary's Beach and enhanced bus provision, are all supported by the community</li> <li>2. There are several areas of open space/children's play areas, in an area which is privately owned and therefore not legally available at present</li> <li>3. The Council has listened to the community, and some of the needs as expressed at meetings and in letters have been included in the Brief</li> </ol>
<p>9 Tetlow King Planning 27 May 04</p>	<ol style="list-style-type: none"> <li>1. Welcome publication of the Brief, which neatly corresponds with the formal adoption of the Local Plan</li> <li>2. It would be helpful for all the important stakeholders to be listed in the brief</li> <li>3. Para 1.1 – Concern over reference to countryside management on land 'adjacent' to site outside ownership</li> <li>4. Para 1.9 - Refer to residential development</li> <li>5. Para 2.5 – Reference to 30% affordable housing needs to take account of exiting planning permission on part of the site at Briseham Road</li> <li>6. South West Field will also be used for soakaways as well as loop road</li> <li>7. Support for phasing provision</li> <li>8. Planning Obligations need to be referred to, rather than S 106 Agreements, so as not to preclude use of Unilateral Undertakings</li> <li>9. Plan 8 does not show the locations of the affordable housing area</li> <li>10. Para 2.7 – Cost-sharing formula is beyond the scope of planning.</li> <li>11. Landscape management plan should not preclude bodies other than TCCT</li> </ol>	<ol style="list-style-type: none"> <li>1. Noted</li> <li>2. <b>Recommend: Include a list of all key stakeholders in Brief</b></li> <li>3. <b>Recommend: Clarify para 1.1 to refer only to land within ownership over which Millwood Homes have an interest</b></li> <li>4. <b>Recommend: Amend para 1.9 to refer to residential development</b></li> <li>5. The Council's policy is for 30% affordable housing on sites such as Dolphin</li> <li>6. Noted</li> <li>7. Noted</li> <li>8. The expectation is for a S 106 Agreement, and it is not recommended to amend the Brief; in the event of a Unilateral Undertaking, the expectation will be that it will cover the same points as a S 106 Agreement</li> <li>9. <b>Recommend: Amend para 2.6 to state that both development phases will include affordable housing</b></li> <li>10. <b>Recommend: Amend para 2.7 and elsewhere to make it clear that physical access to Phase 2 is required.</b></li> <li>11. This is implicitly understood in the Brief</li> </ol>

	<p>12. Refer to shops in Higher Brixham</p> <p>13. Para 3.10 – Refer to morning peak flow of 150 vehicles</p> <p>14. Para 3.10 Object to Briseham Road as integral part of Brief</p> <p>15. Para 3.19 – Refer to recent TPO consent for felling of dangerous trees</p> <p>16. Para 4.3 – Expectations for affordable housing are too high</p> <p>17. Para 4.21 – Delete reference to emerging Local Plan</p> <p>18. Para 4.28 Refer to all main criteria in Circular 6/98 on Affordable Housing and not just Council's SPG</p> <p>19. Para 6.33 – Specify for 10 years</p> <p>20. Para 6.35 – energy efficiency points may be desirable, but should not be expressed as a requirement</p> <p>21. Para 6.39 - Delete reference to colour scheme</p> <p>22. Para 6.40 - Object to reference to 'low level lighting', on grounds of impact on bats</p> <p>23. Para 6.43 – Requirement for parking to provided within view of vehicles is too prescriptive at 30 dph</p> <p>24. Affordable housing section should be amended and simplified, and definition should include low cost market housing</p> <p>25. Para 6.48 – Affordable housing clusters should not be limited to 30 units</p> <p>26. Para 6.51 – Shopping centre maintenance payments for 15 years is too long – suggest reduce to 5 years</p> <p>27. Para 6.54 – Commuted payments for open space are too onerous – should be reduced to 5 years</p> <p>28. Para 6.55 – Not possible to implement planting proposals within first planting season after planning permission, given the impact of construction, access &amp; services, etc</p> <p>29. Para 6.59 – Bus stops should be provided in accordance with bus company's requirements</p> <p>30. Para 6.71 – Delete sentence on projected traffic figures as there is no Figure X in the document</p>	<p><b>12. Recommend: Refer to shops in Higher Brixham</b></p> <p><b>13. Recommend: Refer to morning peak flow of 150 vehicles</b></p> <p>14. The inclusion of Briseham Road was accepted at the Local Plan Inquiry</p> <p><b>15. Recommend: Refer to recent TPO, etc</b></p> <p>16. Not accepted</p> <p>17. The brief will be updated as a matter of course</p> <p>18. The Affordable Housing Supplementary Guidance is the Council's adopted policy position on affordable housing, and it should remain as it is in the Brief. [This section has been omitted from versions of the Consultation Draft and is set out in Appendix 2]</p> <p>19. Not accepted</p> <p>20. The Brief has a role in promoting these sustainable measures</p> <p>21. Not accepted</p> <p>22. This para has not been objected to by English Nature and it should remain</p> <p>23. Not accepted</p> <p>24. Not accepted</p> <p>25. Not accepted</p> <p>26. Not accepted</p> <p>27. Not accepted</p> <p>28. Not accepted</p> <p><b>29. Recommend: Amend para 6.59 to refer to bus company's requirements</b></p> <p>30. The traffic figures are available and should be included in the Brief</p>
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	<p>31. Section 106 views already communicated</p> <p>32. Para 7.7 – Reword text on cost sharing, to refer to Phase 2 not physically constrained, with CPO powers of acquisition if the Council feel that Phase 2 has been unnecessarily delayed</p> <p>33. Delete Figure 2, as commuted sums for landscape maintenance items should be agreed and included in the planning application</p> <p>34. Clarify development potential of West Star site in Plans 5 and 6</p> <p>35. Plan 8 – The boundary of zones U and C is not shown correctly and conflicts with Local Plan Proposals Map in Plan 4</p> <p>36. Aerial photo – delete, as tree cover has changed</p>	<p>31. Noted</p> <p><b>32. Recommend: Amend para 7.7 on access to Phase 2, as suggested</b></p> <p>33. Not accepted</p> <p><b>34. Recommend: Clarify development potential in Plans 5 and 6</b></p> <p>35. Not accepted; the Local Plan boundary is indicative and the Brief boundary is more detailed and precise</p> <p>36. Not accepted, although we can indicate that there has been removal of trees</p>
10 Youth Enquiry Scheme 27 May 04 *	<p>1. No mention of community centre or provision for young people</p> <p>2. Shops not needed</p> <p>3. Concern of free access by public to play area on grounds of safety</p> <p>4. No areas for informal recreation</p> <p>5. Challenge planting to create distinct neighbourhoods</p> <p>6. Clarify definition of affordable housing</p> <p>7. Concern of increased pressure on community health services</p> <p>8. Site should be developed for tourism</p>	<p>1. Disagree</p> <p>2. See comment in relation to 6.1 above</p> <p>3. Disagree – play grounds need good access on foot</p> <p>4. Disagree</p> <p>5. Distinct neighbourhoods will increase the sense of place at Dolphin and quality of life for residents</p> <p>6. Already defined in Brief</p> <p>7. This was not raised by relevant groups during Local Plan consultation</p> <p>8. Disagree – this matter was debated at Local Plan Inquiry</p>
11 RSPB 01 Jun 04	<p>1. Pleased to see that the comprehensive and detailed document acknowledges the biodiversity interest of the area</p> <p>2. Detailed management comments relating to Cirl Buntings set out</p>	<p>1. Noted</p> <p>2. Noted, and these will be also noted by TCCT</p>
12 Mrs S Toon 10 Jun 04	<p>1. Council should ask for more community facilities from the developers</p> <p>2. Objects to pollution from increased traffic</p> <p>3. AONB will be destroyed – then where will be all go to enjoy the environment?</p>	<p>1. Disagree</p> <p>2. Pollution levels from traffic when it was a holiday centre would probably have been greater; on site pollution will be cleared by developers, resulting in net increase.</p> <p>3. Disagree; the land is not public open space at present, anyway</p>

	4. Will more houses benefit the community?	4. More houses will meet the needs of the local population, including the acute need for affordable housing
13 G Monbiot 10 Jun 04	1. Scheme is short term and just for financial gain 2. Alternative forms of development should be considered	1. Disagree 2. Alternative forms of development were considered during the Local Plan Inquiry, and rejected
14 Laura Murray 10 Jun 04	1. The Dolphin site is the only space left to the community for development 2. Danger Brixham would lose its character and individuality 3. Loss of children's play area 4. Will be part of the decline in tourism	1. The site is not public open space at present – therefore there is no public right of access 2. Disagree – the site is largely an eyesore at the moment 3. There is no children's play at present 4. Tourism has already ceased on this site for a considerable time
15 John Jones 10 Jun 04	1. Proposals seem reasonable and balanced as regards housing and conservation 2. Would prefer the whole area to be a conservation area for wildlife 3. Large housing development would be detrimental to wildlife 4. Adverse impact on nearby walkers and tourism	1. Noted 2. Some of the site will be managed for wildlife, and this is supported by English Nature and TCCT 3. This view is not shared by English Nature and TCCT 4. Disagree – the present eyesore is probably a far greater negative impact on walkers and tourism
16 Mrs C L Toms 11 Jun 04	1. Need a community centre, which can be used by the young people of Brixham	1. See comment in relation to 6.1 above

\* Note: 31 identical letters signed by Brixham young people supported The YES representation