

Torbay Local Plan- A landscape for success: The Plan for Torbay 2012-32 and beyond
Schedule of representations –Name/Organisation Order (A-Z)

Consultee ID	File No.	Person / Organisation	
417506	PI1	Adrian Gee	Gee
829682	PI2	Leaf Lovejoy	Lovejoy
468988	PI3	John Pouney	Pouney
358268	PI4	Mr Michael Webster	Webster

Pickhaver, David

From: Adrian Gee [REDACTED]
 Sent: 06 April 2014 23:36
 To: Planning, Strategic
 Subject: Draft Plan comments on Part 5 / Paignton West / Collaton St Mary
 Attachments: I am writing to comment upon the Draft Local Plan.doc

I would like to comment upon the draft local plan.

Firstly I would like to agree with the Forum's suggested changes to the plan and especially agree with their view that the number of houses likely to be needed should be predominately calculated by correlation with realistic employment forecasts for Torbay. I would agree that it would seem that the plan has over estimated the number of houses that will be needed in the plan period. I would like to point out that the draft plan shows that Torbay is still keeping firmly to its historical strategy of calculating numbers for supplying housing for incomers to the area in preference to supplying realistic numbers of homes in Torbay solely for local and locally employed people.

I would like to draw attention to **5.2.2 Paignton and Western Area** and **5.2.2.1** through to **5.2.2.11** in particular paragraphs which contain references to development at **Collaton St. Mary**.

In Paragraph 5.2.2.4 it states that 'development would be achievable towards the end of the plan period'. If the Forum is deemed correct and too many new homes are predicted for too few jobs, it would seem sensible to review the situation at Collaton St. Mary at the beginning of the next plan. It has always been planning policy that Greenfield development should be avoided if at all possible. In the meantime the difficult infrastructure and flooding issues could be dealt with in this plan period. This would be a more compassionate approach as regards the difficult situation Collaton St. Mary residents will have to face. There is still much land nearer to existing and infrastructure under construction in Torbay that should be developed first which would have a less destructive impact upon local residents, outlying villages and Torbay's natural topography.

Paragraph 5.2.2.4 contradicts 5.2.2.8.

5.2.2.4 suggests a possible 'piecemeal' approach to greenfield development whereas paragraph 5.2.2.8 suggests a 'comprehensive and co-ordinated one'.

In paragraph 5.2.2.4 the omission of 'small' and 'or', would then make sense with paragraph 5.2.2.8 otherwise it is likely that there will be developer led Greenfield development at Collaton St. Mary which could override masterplanning.

In paragraph 5.2.2.4 the words 'sustainable community' are quantified by the word 'more'. Why? It insinuates that Collaton St. Mary does not have a sustainable enough community at present. I have lived in Collaton St. Mary for over 25 years and we have a strong social network. The word 'more' could be read as offensive and incorrect. It should be removed.

Collaton St. Mary consists of bungalow hamlets, two story buildings and a few much older buildings, some thatched and some listed. Its vernacular is predominately single story buildings. Planning policy discourages building single story. Likewise the building of 'hamlets' is also discouraged in favour of large-scale high-density housing estate developments. There is no mention in the plan of building single story housing or of building hamlets and without this stipulation the village character is unlikely to be 'reflected' as stated in paragraph 5.2.2.8.

Collaton St. Mary is situated on a flood plain inside a 'bowl' shaped topography. Nestled at the top of Yalberton valley, it is surrounded by steep sided agricultural farmland that gives the village its distinctively rural character. The visual impact of any large-scale high-density housing estate development on these hillsides would inherently damage the rural character of the village and its

hamlets. It cannot possibly enhance it, as stated in paragraph 5.2.2.8. It can only enhance it if it is stipulated that development should be 'hamlets' and kept low level, nestled within the valleys.

It is foolish to build on or around a Flood Meadow. The flooding issues created are extensive and will require a man made solution. The solution therefore will require continual maintenance and upkeep for all time. Flood defences will be inherently more prone to failure as we go into the future. Considering climate change, in Flood Meadow areas housing numbers should be kept at a level as to be in harmony with nature's own defences. A far more sensible option is to develop areas of Torbay that are less prone to flooding.

The A385 infrastructure problems mentioned in the draft plan are inherently caused by the A385 having to cross the River Dart at Totnes 3 miles away. Unless Brutus Bridge is widened and a Totnes bypass created the already dire situation on this road will get worse. For the unfortunate ones who have to sit in the queue every day, some 40 minutes are needed for a 5 mile journey to get through Totnes in the mornings. Development at Collaton St. Mary should be on left hold until these problems are rectified.

Collaton St. Mary is a beautiful place owing to its rural setting with high, steep surrounding farmland. It is, at present, an attractive, farmed 'green' entrance to Torbay's tourist destination from the lovely, green and scenic South Hams. Planning large-scale high-density housing estates with high visual impact at Collaton St. Mary is a disservice to Torbay's tourist industry, local people, and all those who will have to see it and to live with it. It is easy to accept some single story hamlet development at Collaton St. Mary, but if it is deemed that so many more new homes are required it would be wrong to swamp a lovely village and its hamlets with high-density pastiche housing. Much of Collaton St. Mary's topography is such that new developments would overshadow and overbear existing homes because much of the surrounding land is higher. A more innovative, sympathetic and acceptable approach must be taken here. Three dimensional vision and compassionate, intelligent thinking should be applied to housing design and planning. When planning homes, Torbay should be aiming to preserve its outlying villages and to do so with careful and compassionate consideration to existing residents, communities and the tourist industry. The plans for Collaton St. Mary shown in the Draft Plan do not show this. There is a lack of demographical and topographical vision and not enough consideration given to local and existing residents. It is clearly obvious that it is important for Torbay that Collaton St. Mary appears, visually, to be as rural as possible in order to retain its unique charm, a charm that's even mentioned in the Domesday book.

Adrian Gee
BA(Hons) MCSD

Submission to consultation on Torbay Local Plan 2012-2032

'Torbay: A landscape for success' is the title and the recurrent theme underpinning development and growth policies and proposals, in both the proposed submission version of Torbay's new Local Plan 'Torbay, A Landscape for Success: the Plan for Torbay 2012 to 2032 and beyond', and in supporting and contributing documents such as 'The Nature of Torbay – A Local Biodiversity and Geodiversity Action Plan 2006 – 2016', 'The Torbay Green Infrastructure Delivery Plan: Building a Sustainable Future for Torbay', Landscape Character Assessment of Torbay parts 1 and 2.

This submission makes several points.

1. Broad support for the landscape-based approach adopted by Torbay in producing the Local Plan, albeit with dispute of objectively assessed housing needs, and of site allocation to Yalberton Valley.
2. Full support for the submission by Paignton Neighbourhood Forum.
3. Full support for submissions by Stoke Gabriel Parish Plan Group and Stoke Gabriel low-e group.
4. Full support for Yalberton Valley Conservation Proposal 2011 (attached)
5. Assertion that strategic landscape analysis of Torbay into unit areas of local character (AoLC) fractures the geological and environmental entity of the Yalberton Valley with its inherent integrity.

This submission argues that policies regarding the Yalberton Valley are unsound, because Yalberton Valley is viewed inconsistently and piecemeal, and entirely as the sites of existing development that detracts from its inherent landscape character.

On the grounds recognised for unsoundness, this approach to the Yalberton Valley is not justified (as there are more appropriate reasonable alternatives (cf Yalberton Valley Conservation Proposal YVCP), not effective, because not working across joint boundaries (cf YVCP) and not sustainable, because Yalberton Valley landscape as a whole entity with integrity, natural and human, will be lost.

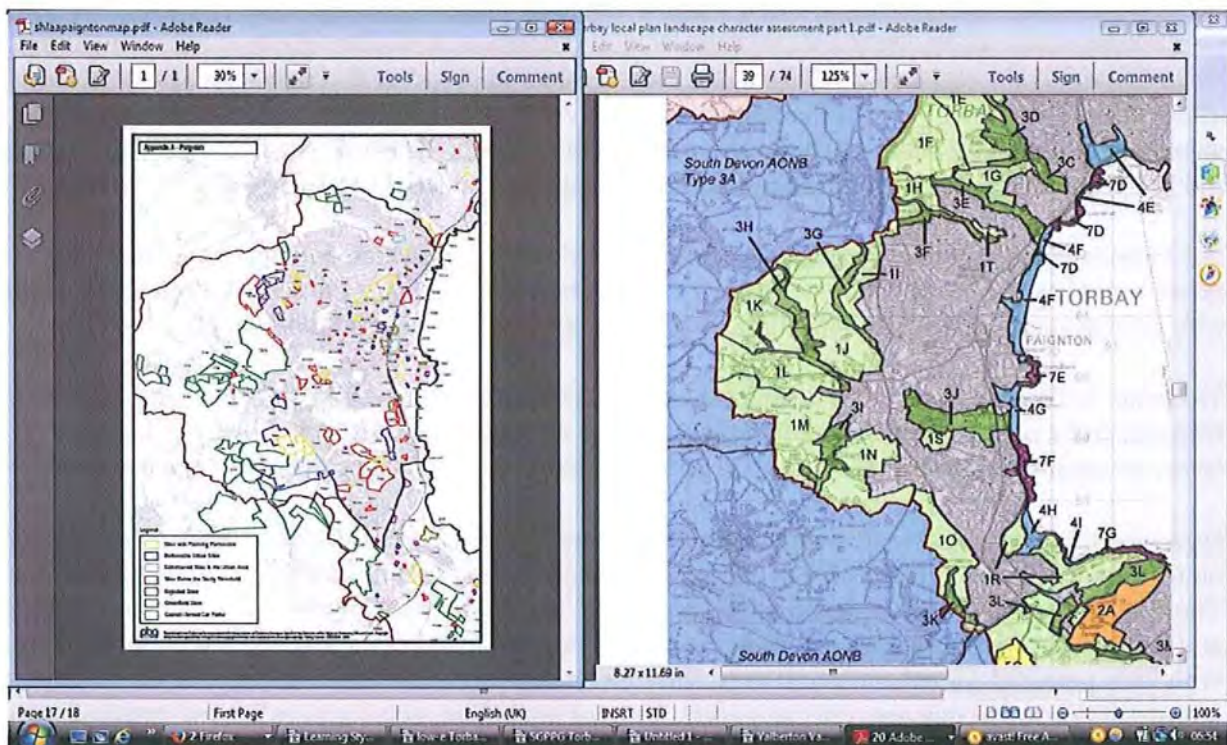
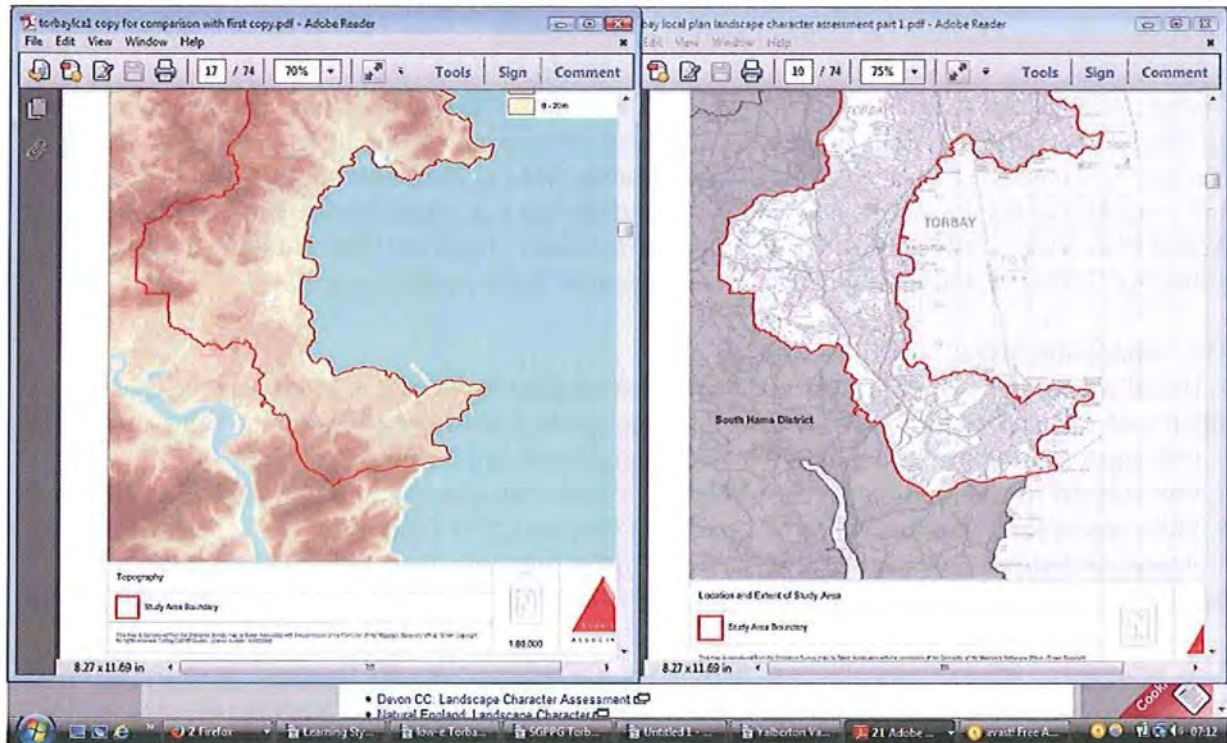
Stoke Gabriel is the parish and village at the southwesternmost end of the Yalberton Stream Valley, where it flows into first the Mill Pool and then the River Dart (which in the right hand map below seems to terminate just south of Dittisham, rather than reflecting its actual shaping of the boundary and buffering border between the neighbouring and adjoining districts of Torbay and South Hams).

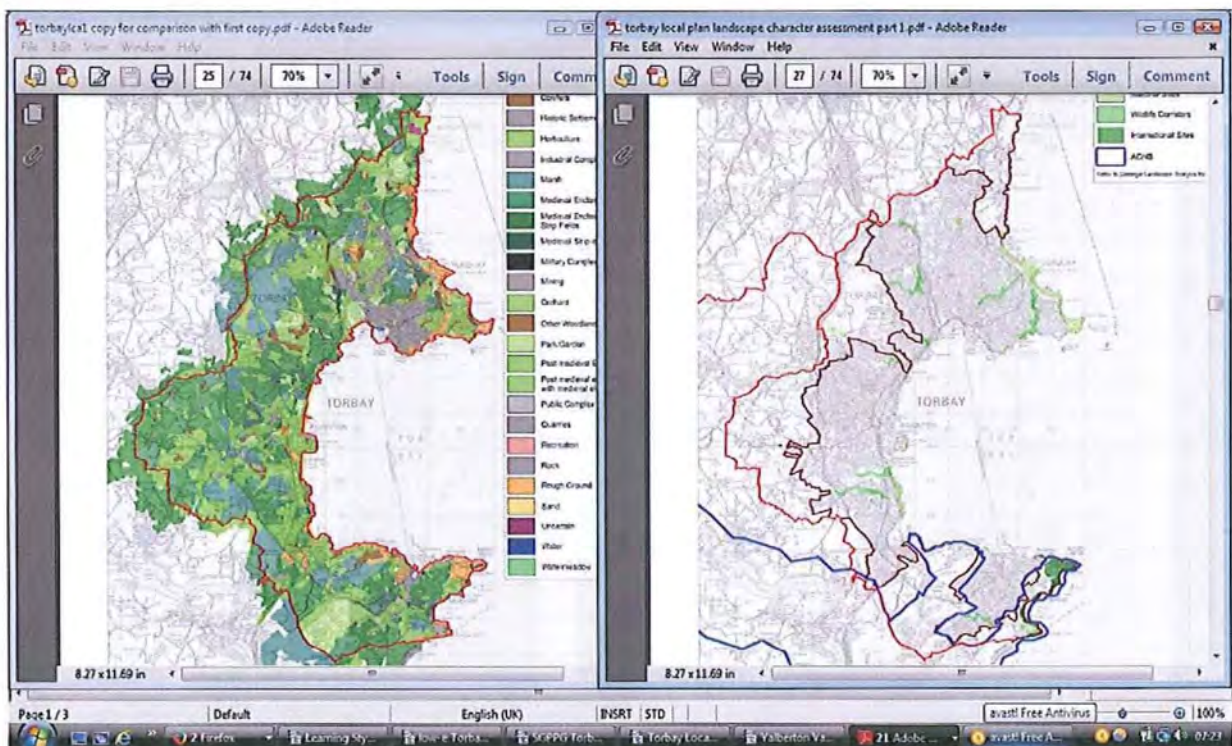
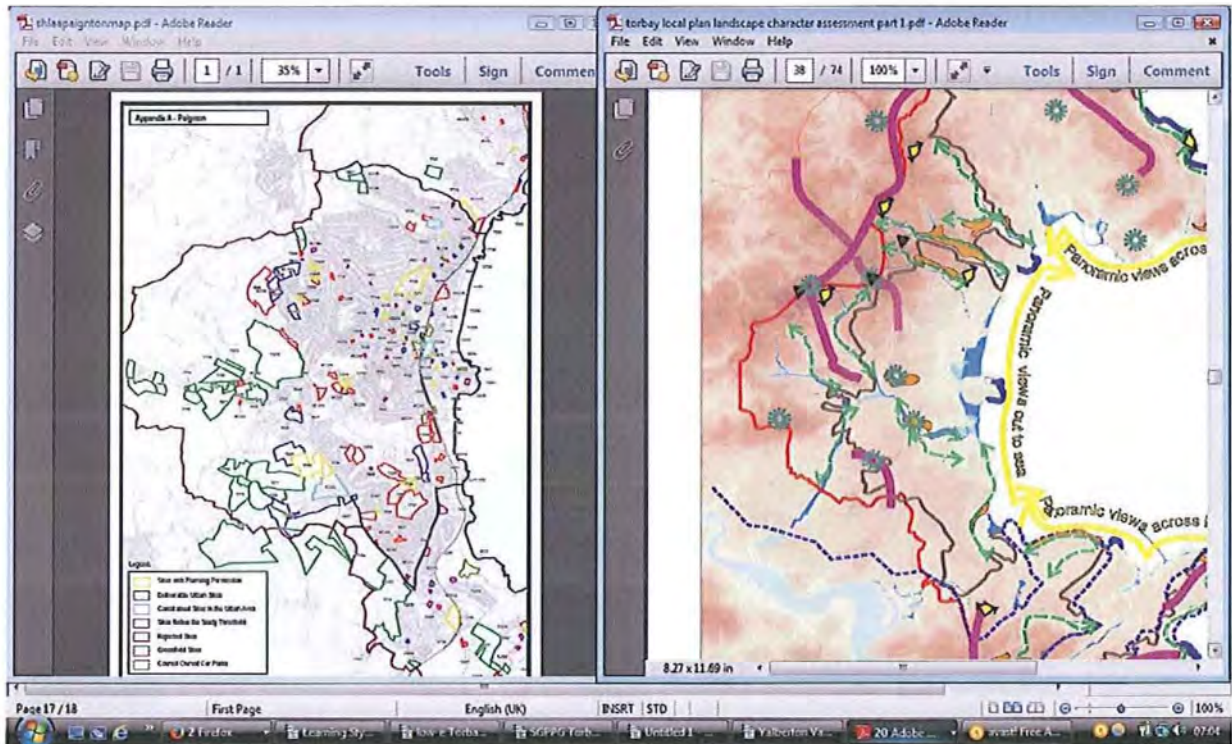
The various graphic images below, taken from Torbay's New Local Plan documents, indicate the extent to which Yalberton Valley occupies a central place in the topology and topography of Torbay, with a consequent capacity to contribute to Torbay's strategy to realise a 'Landscape for Success'.

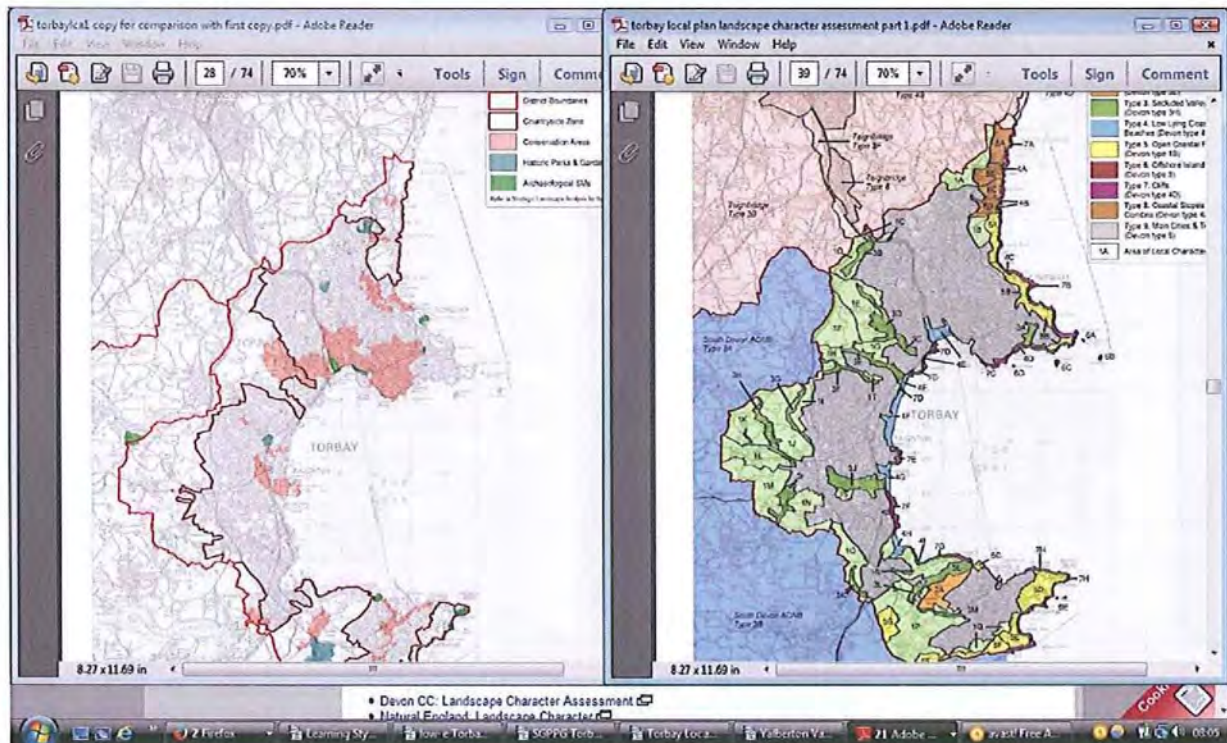
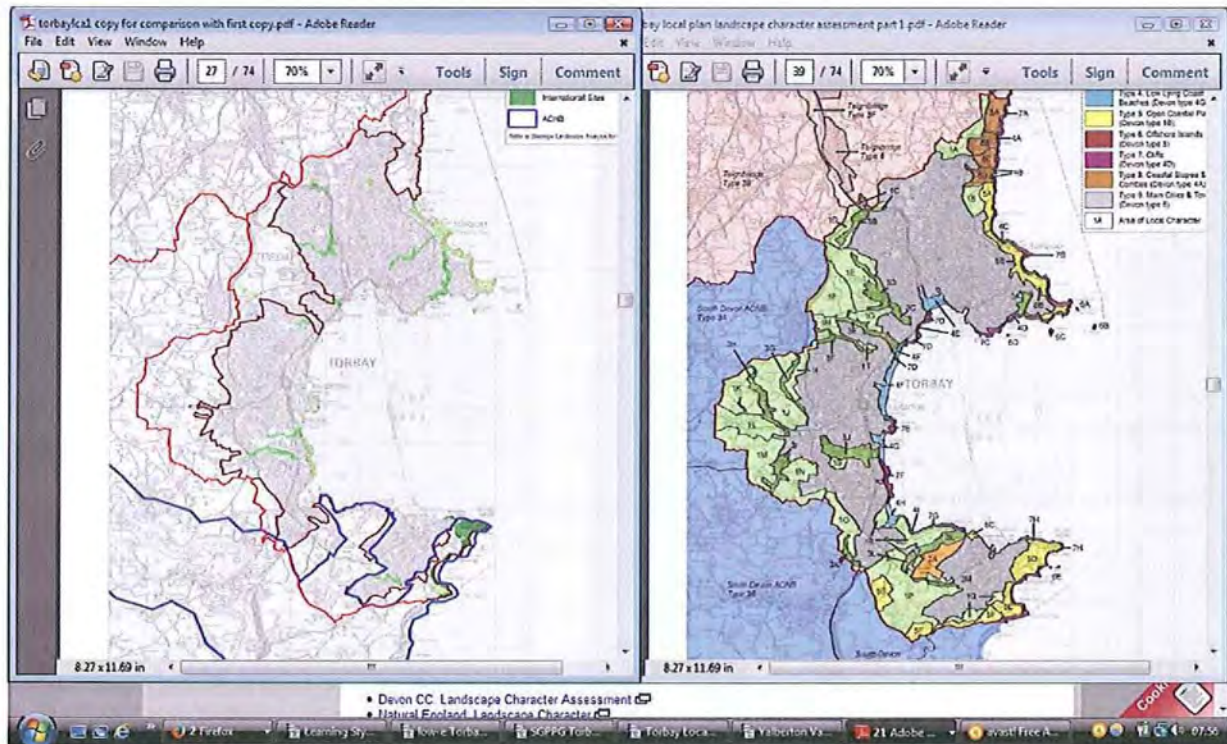
Yalberton Valley has integrity as a landscape entity containing recognised geodiverse and biodiverse features, and a rich historical and cultural heritage. It also has implications for Torbay's strategic environmental management of flood risk, green corridors, environment and habitat enhancement.

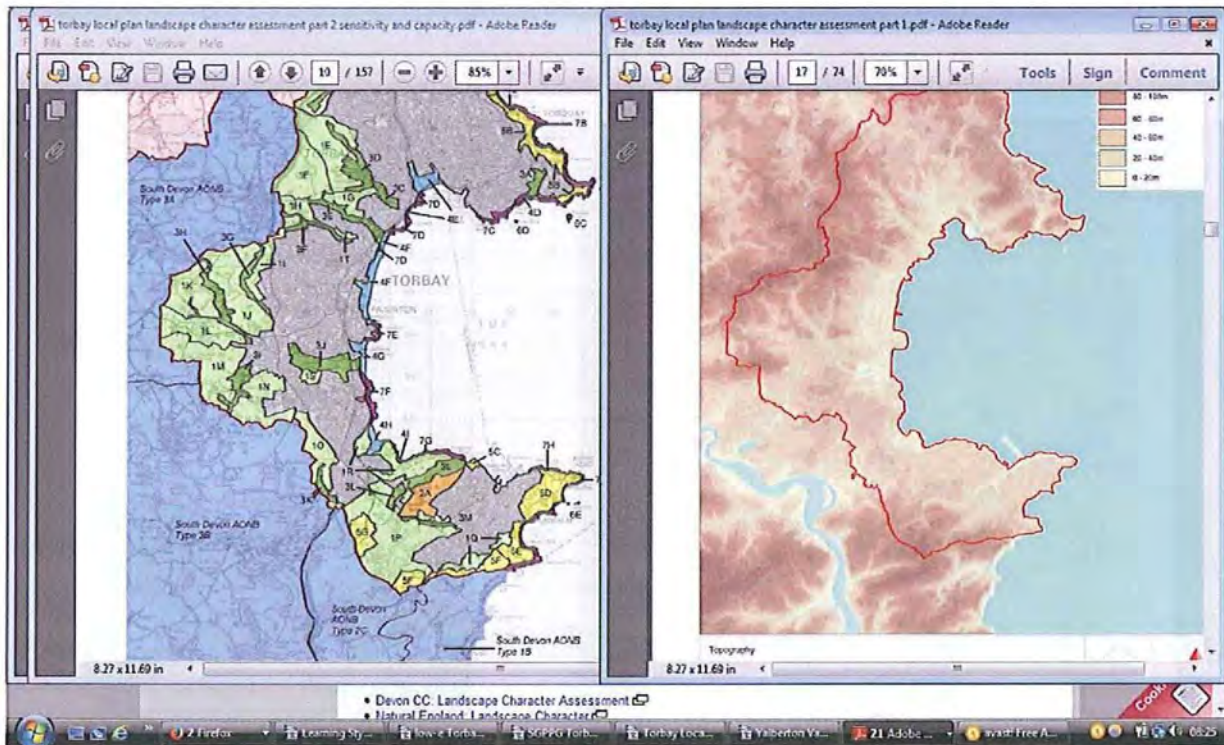
However, the present plan effectively dissects and then dismisses the Yalberton Valley as an entity, on the grounds that previous and existing development detract from its landscape character features. Thus the landscape character approach to this part of Torbay, rather than valuing actual landscape and its ongoing environmental and ecological features, both inherent natural and human historical, with their potential for enhancement to produce environmental and economic benefits for Torbay, has instead regarded this area only as growth areas of greenfield sites for housing and employment.

Graphical images reproduced below indicate the inconsistency that characterises the Local Plan's treatment of Yalberton Valley's green corridors and secluded valleys. 'Yalberton Valley Conservation Proposal', a document prepared for Torbay Council in 2011, explains the reasoning and rationale for proposing forms of strategic designation of the Yalberton Valley for its conservation and protection.









YALBERTON VALLEY CONSERVATION PROPOSAL



**Compiled by
Yalberton Valley Community Forum
for
Torbay Council
4th May 2011**

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Appendices 1-6 are attached in two separate document files.

Point of Contact:

Mr. M. Parkes, Brooke Vale, Long Road, Paignton, Devon, TQ4 7PQ.



Introduction

1. The aim of this report is to present to Torbay Council a set of proposals for the conservation and protection of Yalberton Valley.
2. Yalberton Valley is an area of great landscape value and natural beauty and, as such, it is difficult to understand why its importance has so far remained unacknowledged and overlooked as an entity in its own right by Torbay Council. The Valley contains an abundance of important wildlife as well as ten listed buildings including two of national monument status. The Valley is also home to the historic local tradition of cider-making and contains extensive areas of ancient orchard.
3. The proposed major residential and industrial schemes at nearby White Rock, Yannon's Farm and Holly Gruit have prompted Yalberton Valley Community Forum to seek to protect Yalberton Valley from the adverse effects of these developments and from the prospect of any future planning applications which may be detrimental to the Valley. It has enormous potential to provide 'off-site mitigation' for wildlife, particularly those protected species displaced by White Rock.
4. Yalberton Valley is one of the jewels in the crown of the English Riviera Global Geopark and should be recognised and promoted as an area of prime biodiversity, heritage value and geological importance. Conservation designations must now be assigned which are robust enough to resist future developmental threat.
5. In terms of wildlife and nature conservation, Yalberton Valley is not specifically identified in the recently published Torbay Green Infrastructure Delivery Plan 2011, nor in The Nature of Torbay 2006 – 2016, otherwise known as the Torbay Local Biodiversity Action Plan (BAP).
6. The clusters of listed buildings and ancient orchards in both Higher and Lower Yalberton appear to qualify as heritage assets within the meaning of Planning Policy Statement 5, yet the area is not specifically identified in the recently published Torbay Heritage Strategy 2011, nor does it feature in the related Heritage Action Plan.
7. Yalberton Valley cuts through limestone and there are several karst features including two known caves. These have geological significance and are important in terms of bats. Lidstone Cave falls just within the South Hams and although Lower Yalberton Cave is located in Torbay, it is not recognised in the Torbay Local BAP. Neither cave is included as one of the Devon RIGS Group sites.
8. The views expressed in this proposal are in accordance with the Council's strategic objective relating to Conservation of the Environment, as expressed in the Regulation 25 Draft Core Strategy 2009: Vision, Objectives and Growth Options:

"To ensure that the high quality and diversity of Torbay's urban, rural and marine environment and historic assets are conserved and enhanced, taking care to preserve Nationally and Internationally important designations as well as locally significant sites,

and ensuring the protection of wildlife, biodiversity and important wildlife corridors for the benefit of existing and future generations."

9. While this report represents the views of many of the residents of Higher and Lower Yalberton and surrounding areas, it has not been possible in the short time available to solicit the opinions of each and every resident, although this situation would be remedied by the proposal for community consultation described later.

Location

10. Yalberton Valley is a secluded green valley located about 3½ km south-west of the town centre of Paignton and about 1½ km north-east of the village of Stoke Gabriel. There are two historic hamlets in the Valley, Lower Yalberton and Higher Yalberton, and both contain a number of listed buildings.
11. Yalberton Stream (re-classified as a 'main river' by the Environment Agency in 2006 due to its flood profile) runs into the Valley from Collaton St. Mary to the north and flows through Higher Yalberton then Lower Yalberton before eventually reaching the historic fresh water Mill Pond at Stoke Gabriel. This discharges into the tidal River Dart. A Google Earth image showing Yalberton Valley is shown below.
12. The lower part of Yalberton Valley includes the Mill Pond and River Dart and lies within the South Devon Area of Outstanding Natural Beauty (AONB), the boundary of which is shown on the Google Earth image. It should also be noted that the upper part of Yalberton Valley, containing the hamlets of Higher and Lower Yalberton, lies within the Torbay boundary while the lower part of the Valley lies within the South Hams.



13. In terms of scale, the distance from Higher Yalberton to the Mill Pond at Stoke Gabriel is approximately 2 km while the width of the Valley, as indicated by the blue line on the

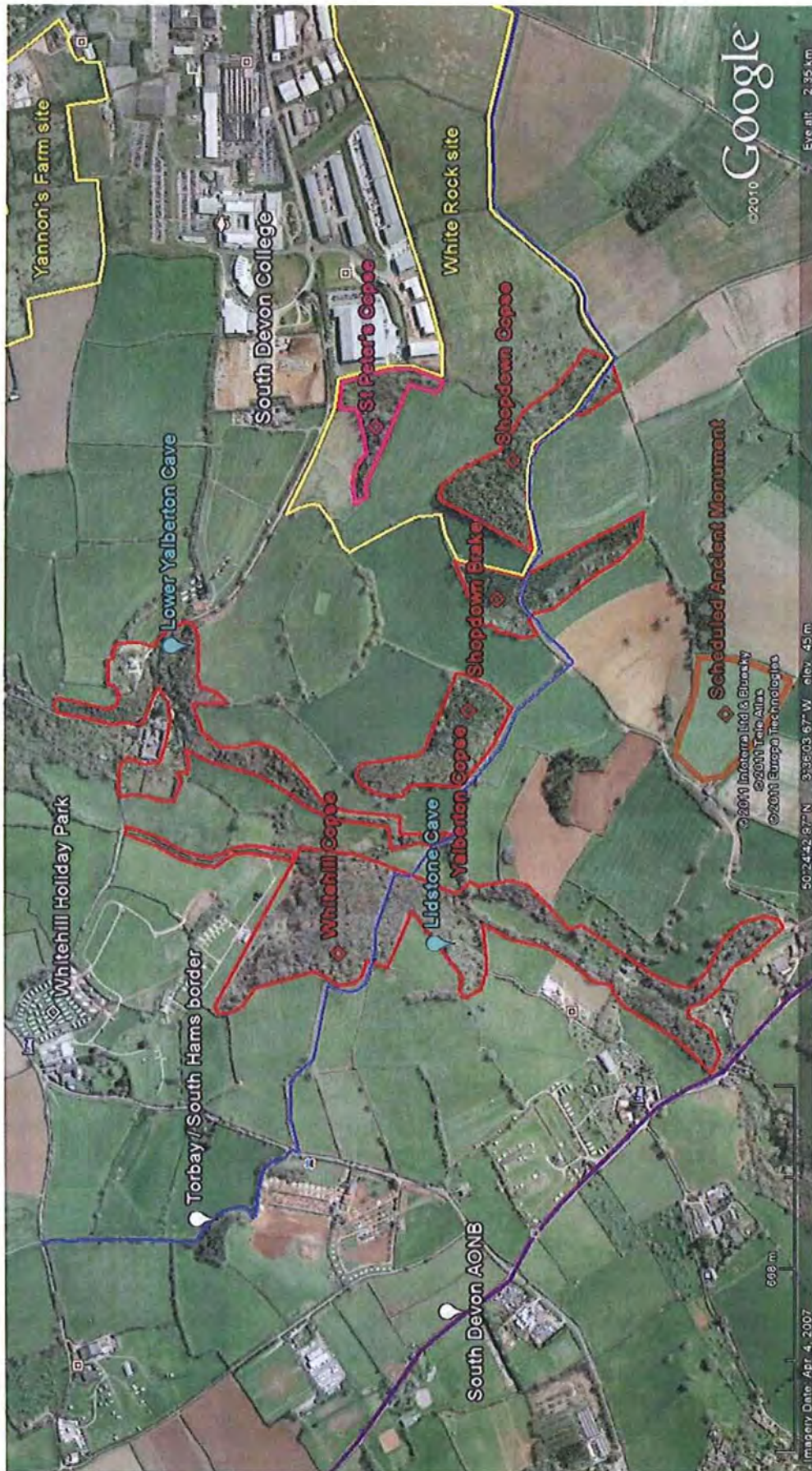
Google Earth image, is approximately 1 km. The area is served by a network of narrow country lanes that are unsuitable for high traffic volumes.

Essential Characteristics

14. Yalberton Valley is characterised by its rich biodiversity, historic listed buildings and its long tradition of cider-making. It is centred on a rural river valley running through ancient orchards, surrounded by fields of improved and semi-improved grassland, a few of which are under cultivation. These are interlinked by an extensive network of species-rich mature traditional hedges. There are a number of areas of scrub and a large number of mature and veteran trees, many of which are hedgerow trees. An ancient green lane runs from Lower Yalberton to Byter Mill in Stoke Gabriel.
15. It is widely recognised that the area is of considerable nature conservation and heritage value and that it is gradually becoming subject to increasing pressures from continued urban expansion nearby. Therefore, this report proposes that the profile of Yalberton Valley as an environmental and heritage asset should be raised, and that the following essential characteristics justify our proposal for appropriate designated conservation status.

Biodiversity Value & Protected Species

16. Yalberton Valley already contains a number of designated wildlife sites, but the picture is fragmented, inconsistently documented and extremely confusing. This report proposes that Torbay Council should commission a review of all wildlife sites in Yalberton Valley and then in conjunction with South Hams District Council, arrive at a more appropriate and comprehensive designation. At present, for example, a County Wildlife Site in the South Hams - Byter Mill Copse - ends abruptly at the Torbay border, even though at this point the border runs through the middle of a large area of woodland, Whitehill Copse. Clearly the same wildlife habitat and associated biota exist throughout this copse, regardless of the political boundary that dissects it.
17. To illustrate this issue, a Google Earth image of part of Yalberton Valley is reproduced below. Several areas of woodland are labelled and their names are taken from a 2010 Ordnance Survey map. The various wildlife sites which are identified on a map supplied to us by Devon Biodiversity Records Centre (DBRC) have then been layered on the image in outline. The DBRC data map is included as Appendix 2.



18. The confusion has impacted on recent major planning applications. For example, the following table of protected sites was included in the Habitats Survey prepared in support of the planning application for the Yannon's Farm development. The survey states that the information was obtained from DBRC and that the data was considered current in 2010.

Site Name	Grid	Area	Description	Status
Yalberton Stream	SX865594	0.6ha	Stream and associated marsh	Local Wildlife Site
Lower Yalberton	SX861582	4.2ha	Mature woodland and wet grassland	Local Wildlife Site
Yalberton Quarry	SX864590	3.4ha	Mixed farmland, woodland, species-rich roadside verge	Local Wildlife Site
Stoke Hill Road and Whitehill Lane	SX826590	24.0ha	Road verges, species-rich hedgerows and orchards	potential County Wildlife Site
Shopdown Brake / Copse	SX866578	2.3ha	Mixed woodland and plantation	potential County Wildlife Site

19. However, according to the DBRC data map in Appendix 2, 'Shopdown Brake / Copse' is a mixture of potential County Wildlife Site in the South Hams and Local Wildlife Site in Torbay. Again, this makes no sense as it is a single area of woodland through which the Torbay / South Hams border just happens to pass. The above table also excludes the Local Wildlife Site at Waddeton Woods which is shown on the DBRC data map. To add to this confusion, the DBRC name of Waddeton Woods differs from the Ordnance Survey name for this area of woodland which is Shopdown Copse.

20. The DBRC map itself excludes altogether an apparent County Wildlife Site at St. Peters Copse (shown in pink outline on the above Google Earth image). Section 1.6 on page 9 of the Planning, Design & Access Statement for White Rock, dated February 2011 and made available to the public on 6 April 2011, states,

"Torbay Council advised on 23rd December 2010 that part of the proposed application site was to be considered as a County Wildlife Site (CWS). The area in question related to St. Peters Copse woodland and the field immediately to the north, abutting Long Road."

It then goes on to say,

"The applicant was informed on 10th February 2011 that the Council considered and discounted undeveloped land within the application boundary as being a future CWS site."

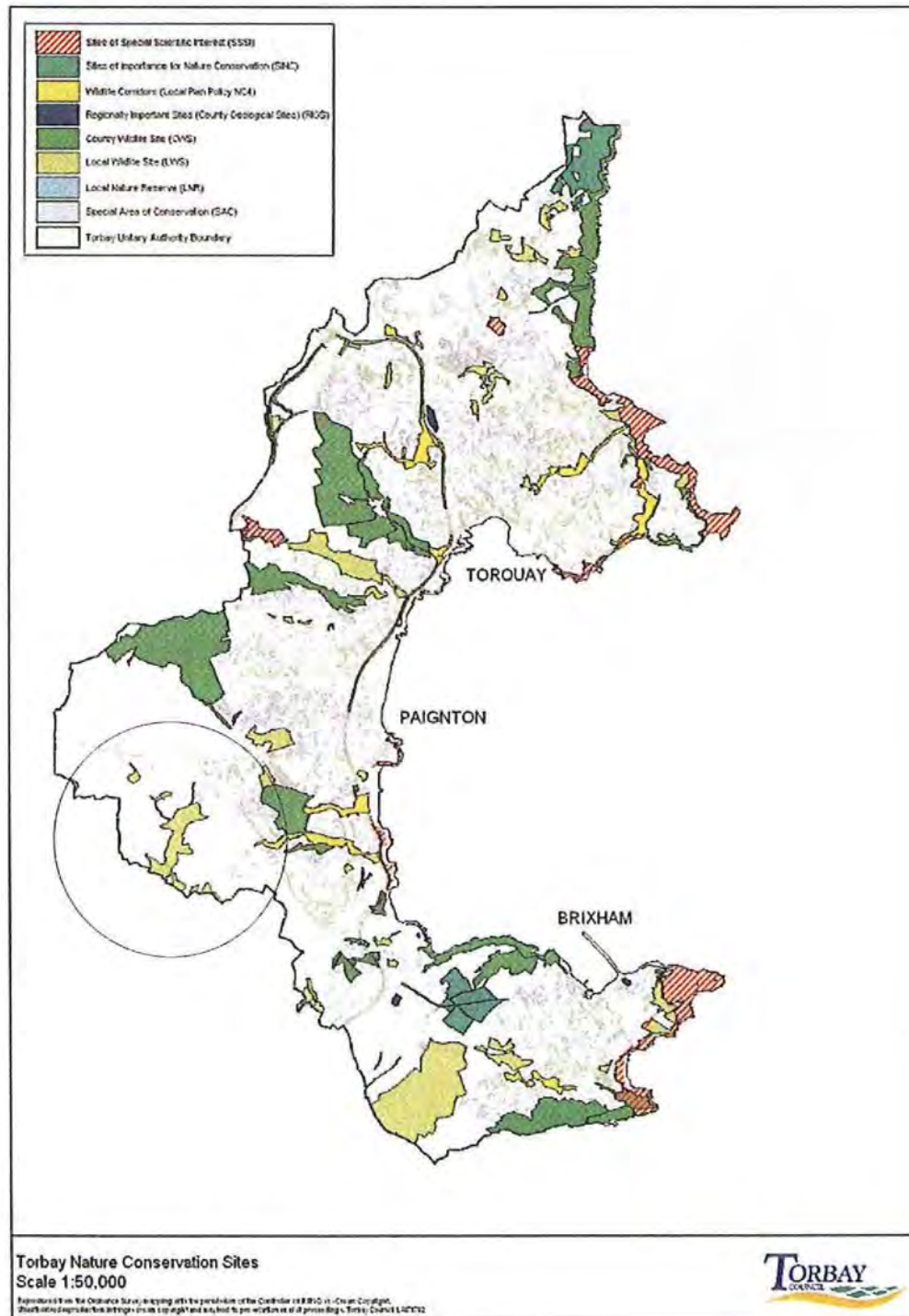
If indeed St. Peters Copse was recorded by Torbay Council as being a CWS in December 2010, then it is concerning if this designation was simply disregarded a few weeks later for

the convenience of a major planning application. On the other hand, if Council staff made a mistake in December 2010 when they advised that St. Peters Copse was a CWS, this simply serves to illustrate the theme of confusion and complexity running through this section of the report.

21. The three Local Wildlife Sites known as Yalberton Stream, Lower Yalberton and Yalberton Quarry are recorded as nature conservation sites in the Torbay Local BAP and are numbered 49a, 49b and 49c respectively. The Local BAP also includes the large 24 hectare potential County Wildlife Site (pCWS). It is described in the document as "Stoke Hill Road and Whitehill, Yalberton" and is indistinctly shown on a small OS map in the document as covering a large area of Yalberton Valley. However, the grid reference quoted in the above table is several kilometres away from Yalberton Valley, at a point near to the hamlet of Aish.

22. The picture is made more confusing by a description in the Adopted Torbay Local Plan (1995-2011) which describes site number 49 as "Yalberton – Higher Yalberton – Whitehill Copse" and identifies it as a Local Wildlife Site (LWS) rather than a potential County Wildlife Site (pCWS). This description appears to be confirmed by the following map which has been copied from the Greenspace Strategy 2007, a supplement to the Torbay Local Development Framework 2005-2026. The light green area circled on the map shows a single large Local Wildlife Site (LWS) covering much of the Yalberton Valley (at least that part of it which falls within the Torbay border).

Figure 6.2 Sites of Nature Conservation Importance in Torbay



23. It is clear from the above that the existing wildlife designations in Yalberton Valley are at best confusing and at worst misleading. A new designation must be made based on scientific evidence and not on the political boundary between Torbay Council and South Hams District Council. A designation of County Wildlife Site for all of the woodland fragments and indeed the whole of Yalberton Valley would be consistent with its importance as a haven and corridor for an abundance of flora and fauna, including a number of important and protected species.
24. As regards the presence of important and protected species in Yalberton Valley, the Extended Phase 1 Habitat Survey conducted by Devon Wildlife Consultants (DWC) in March 2007 (Appendix 6) shows the area to be extremely rich in a host of fauna and flora, including rare lesser and greater horseshoe bats, badger, dormice, common reptiles, a diverse range of bird species including grey heron, buzzards, sparrow-hawk and green woodpecker and a wide variety of invertebrates.
25. The internationally important Cirl Bunting is recorded in the Local BAP as being present in the Valley and these birds are frequently observed by the residents, particularly in the orchards and hedgerows. Barn Owls and Tawny Owls are also seen regularly in the Valley and a young wildlife photographer whose family reside in Higher Yalberton has photographic evidence of the presence of Cirl Bunting and Barn Owl in the Valley, both important and protected species. Furthermore, otter are known to frequent the lower reaches of Yalberton Valley and its stream.
26. Hedgerows were noted in the Habitat Survey for their high ecological value and the presence of ancient woodland indicator species such as dog's mercury and ramsons. They are highly likely to support dormice and to act as a foraging/commuting route for various species of bat. They are also a good source of invertebrate species, increasing their potential to support foraging bats. They were recommended for further detailed survey in the DWC report.
27. The survey also noted the presence of several mature trees within hedgerows and field margins that are likely to support bat roosts. Some of these may be worthy of Tree Protection Orders.
28. Despite the wealth of wildlife recorded in the survey, it is notable that it was carried out rather early in the year. Had it been carried out within the normal survey season (April-October) it is highly likely that more species would have been observed by the survey team. A further limitation is that DWC did not obtain all the necessary permissions from landowners in advance of their visit and so they were unable to access all of the land within the survey site.
29. Several old and disused lime kilns are also to be found in Yalberton Valley. These are important features utilised by several species of bats as well as being of heritage value.
30. The two caves at Lower Yalberton and Lidstone Quarry were surveyed in the mid 1980s by Devon Cave Group (Appendix 5). Both are over 25 metres in length and have a vertical range in excess of 10 metres. There might be some possibility of extension by digging. Due to their importance as roosts for the protected bat species found extensively within Yalberton Valley and the fact that Lower Yalberton Cave is located

within a Global Geopark (Lidstone Cave being just outside), it is suggested that County Geological Site status should be considered for both caves.

Listed Buildings, National Monuments & Cultural Heritage

31. The upper part of Yalberton Valley including the hamlets of Higher and Lower Yalberton are situated within the historic parish of Paignton, while the lower half of the Valley falls within the historic parish of Stoke Gabriel. At the time of the Norman Conquest, the manor of Paignton (then known as Peintona) was one of the most valuable possessions of the Bishops of Exeter and at that time it included the area of Stoke Gabriel. The settlement of Yalberton is of at least medieval origin and was documented, as Aleburne, as long ago as 1242.
32. The farm at Lower Yalberton is the site of a medieval estate and is mentioned in the 'Testa de Nevil' in 1244, where some early descents are given. The site contains a number of listed buildings dating to the early 19th century – Lower Yalberton Farmhouse and attached outbuildings, the West, East and North Ranges of Farm Buildings, the Stable Range, the Shippon, the Cider Barn and the Granary. The farmhouse at Lower Yalberton (now known as Brooke House) is further listed in English Heritage's National Monuments Record as being a post medieval farmhouse and a building of Special Architectural or Historic Interest.
33. Higher Yalberton also includes a number of listed buildings including King William Cottage, a house built in the early 17th century or perhaps earlier. It is of roughcast with the roof thatched to the front and slate to the rear. Espying the apples in the adjoining orchard, William III, the Prince of Orange, is said to have remarked "*what lovely apples*" and was given some by the occupier who afterwards named the house, 'King William Cottage'. Like Lower Yalberton Farmhouse, King William Cottage is further listed in the National Monuments Record kept by English Heritage as a building of Special Architectural or Historic Interest.
34. In addition to the King William Cottage, Higher Yalberton Farmhouse, the Barn, Linhay and Stable to the south and a Barn to the south-west are all Grade II listed buildings. The other listed building in Higher Yalberton is the large 'Cider Barn' which dates from the early 19th century and is a rare survivor, being both larger and more mechanised than most other cider barns in the West Country.
35. Furthermore, as Yalberton Stream flows down towards the Mill Pond at Stoke Gabriel, there is evidence of prehistoric activity at a site to the north-east of Lower Well Farm in an area known as Port Bridge. This site is recorded as Scheduled Ancient Monument No. 33797 and falls in the South Hams, just the other side of the Torbay border. It comprises an earthwork farmstead constructed and inhabited in the Iron Age, from about 500 BC to 600 AD. It would have been lived in by a small community who would have farmed little fields bounded by low stone walls. In the Iron Age, the climate in Devon was much wetter than today and Yalberton Valley could have been prone to flooding. This is probably why the earthwork, protected by a rampart and ditch, is located at the top of a hill.

36. The people were Celts, the Dunmonii, and they can be regarded as the first local villagers in England. They used a wheeled plough and had iron bars for currency. The Dunmonii were scarcely disturbed by the Roman occupation of Britain, but when the Danish raids started up the Rivers Exe and Dart, and Saxons began to take over, many of the Dunmonii crossed the Channel to Brittany, from where they may have come in the first place.
37. The Lower Well farmstead site was excavated in the 1950's and finds were recovered including whetstones, whorls, a quern, animal and fish bones, pottery of the 1st to 4th centuries AD and several 4th century AD coins. It is located only about 350m from the stream running along the floor of Yalberton Valley and is another reason why the whole valley should be designated and protected from any future development.

Ancient Orchards & Cider-Making Tradition

38. Orchards are considered increasingly important in both the local and national context. In 2007 traditional orchards became recognised as a priority habitat under the UK Biodiversity Action Plan (UK BAP). Since then a UK Habitat Action Plan (HAP) Group has been set up and a national action plan developed. The orchards in Yalberton Valley have been included in the inventory produced by the HAP Group. This inventory is intended to provide a baseline from which to focus future conservation, including targeting agri-environmental scheme options and identifying orchards in local planning policies and development control.
39. In the recently published Torbay Green Infrastructure Delivery Plan 2011, it is encouraging to see that the Yalberton Valley orchards do at least fall within the boundary of a large Orchard Enhancement Zone to the west of Paignton, but unlike the HAP mapping data shown on the MAGIC website, the various orchards in Yalberton Valley are not separately identified. Neither is the Yalberton Valley specifically mentioned in Paignton's Key Green Infrastructure Projects and Priorities for the next 10 years (Table 8).
40. Yalberton Valley is characterised by ancient orchards which according to Devon Wildlife Consultants are of "... *high ecological, landscape, cultural and historical value*" Several species of apple are grown in Yalberton Valley, principally for the production of cider. Today this historic industry is being kept alive by Richard Hunt whose family have been making cider in the area for over 200 years. Traditional farmhouse cider is made from 100 per cent juice unlike some of the mass-market ciders which use concentrate that sometimes comes from Europe or as far afield as China. The fruit used in Hunts Cider does not have anywhere near as far to travel, the apples coming from 8 hectares of orchard in Yalberton Valley. Richard does not use sprays or artificial fertilisers in the orchards and when the trees are pruned every winter, some dead wood is purposely left as a wildlife habitat. Sheep graze the orchards and in turn they provide rich natural fertiliser.
41. Richard makes his cider in the 200 year old Pound House, built at the turn of the 19th century specifically to press the apples – or 'pound' them – at a time when cider was still the cornerstone of West Country life. Today Richard uses a water-hydraulic press which

was installed by his grandfather in 1950. When the apples are pressed in the autumn, the crushed fruit is fed to the cattle on the nearby farm. Hunts Cider produce about 5,000 - 7,000 gallons a year and much of this is still sold in the old-fashioned way at the farm gate. It is also available to buy in local shops and pubs. The website www.hunts cider.co.uk has more information on Richard's traditional cider-making business and includes a number of photographs showing Richard at work, both outside in the ancient orchards and inside some of the listed buildings mentioned in this report.

42. National Apple Day (21 October) was established in 1990 to preserve and raise awareness of the alarming rate at which orchards were disappearing along with local varieties of apple, wassailing and the recipes, songs, and stories associated with them. Devon alone has lost 90% of its orchards since 1965.
43. Torbay Coast & Countryside Trust (TCCT) already celebrates National Apple Day by holding an annual event at Cockington Country Park and it is believed that this organisation could play an important part in raising the profile of Yalberton Valley, not only in relation to ancient orchards and cider-making, but in its management under the proposed designated status. TCCT's stated mission is *"to protect land, conserve nature and strengthen bonds between people and the natural world of Torbay"*, sentiments which accord perfectly with the views proposed in this report.

Conclusions

44. Yalberton Valley is designated by Torbay Council as an Area of Great Landscape Value and it contains a scattering of Local Wildlife Sites. Being situated in Torbay means that the upper part of the Valley also falls within the Torbay Prime Biodiversity Area as classified by English Nature (now Natural England), and of course it is within the English Riviera Global Geopark. Furthermore, it is close to the South Devon AONB and the lower part of the Valley includes an important Scheduled Ancient Monument. This may seem to offer sufficient protection from development, but much of the above also applies to the proposed major scheme on greenfield land at White Rock. Therefore, comprehensive new designations are required if Yalberton Valley is to be conserved and protected from future development.
45. When it comes to Torbay Council's strategic policy, Yalberton Valley has been consistently overlooked in recent years. It is not specifically mentioned in two key documents published just last month; the Torbay Green Infrastructure Delivery Plan 2011 and the Torbay Heritage Strategy 2011. This is despite comments in the Heritage Strategy such as:

"Torbay's orchard heritage has shaped the local landscape and their heritage value is becoming increasingly recognised".
46. In the Torbay Green Infrastructure Delivery Plan 2011, that part of Yalberton Valley which falls within Torbay is shown on the maps as being in a Rural Wildlife Corridor and within a large Orchard Enhancement Zone but again, it is not specifically named anywhere in the document.

47. Yalberton Valley is neither recognised in Torbay's Local BAP, The Nature of Torbay 2006 – 2016, nor in The Greenspace Strategy 2007, an adopted supplement to the Torbay Local Development Framework 2005 - 2026.
48. There are many reasons why Yalberton Valley should be conserved and protected for future generations; it is an important haven for a high diversity of wildlife including rare and protected species, it contains a number of important listed buildings, it has an abundance of ancient orchards, it is home to the historic tradition of cider-making, it has sites of geological importance, and the Valley has a history of settlement and trade dating back to the Iron Age.
49. Furthermore, Yalberton Valley contains valuable heritage assets and is a natural environment which could be used by South Devon College and the new University Centre in its quest to encourage 'life-long learning', especially in support of tourism, environmental and horticultural studies.
50. As a benefit to the local community, Yalberton Valley is a conveniently located green area used by cyclists and walkers living in the nearby residential areas of Paignton, such as Goodrington, Roselands and in time, the proposed residential area at White Rock etc. Enhanced quality of life and the promotion of healthy lifestyles for local communities through access to green open space are themes running through many of the Council's plans and policies and ones that could clearly be developed in line with the proposals presented in this report.
51. The natural beauty and heritage value of Yalberton Valley should also be regarded as of great significance to visitors to Torbay in terms of tourism and the local economy. As such, Yalberton Valley should be valued similarly to other inland rural areas such as Cockington and Ocombe. The Whitehill Country Park is located within the Torbay area of Yalberton Valley and there are a number of other established holiday parks nearby whose visitors come to enjoy the tranquillity of the Valley. Most travel through the Valley (often cycling or walking) to buy provisions and supplies at supermarkets and other stores located to the west of Paignton.

Proposals

52. This document describes the very many attributes of Yalberton Valley and explains why it should now be properly recognised by Torbay Council and conserved for this and future generations to enjoy. In accordance with the Extended Phase 1 Habitat Survey (Appendix 6), it is recommended that more detailed ecological surveys (Phase 2 Protected Species Survey) be commissioned by Torbay Council at the earliest opportunity and within the current survey season. This is especially relevant considering the timing of the original survey which was outside the normal survey season. It is suggested that a Phase 2 survey could be funded through Section 106 contributions from White Rock because Yalberton Valley is conveniently located to become a replacement habitat for those species displaced by this major development which is to be built on greenfield land adjacent to the Valley.

53. Building upon the existing survey data and subject to the above mentioned survey being completed, it is proposed that the following designations should be considered further:

County Wildlife Site – rationalise the existing Local Wildlife Sites within Torbay and re-designate the whole of Yalberton Valley as a County Wildlife Site. Had the original survey by DWC been followed up, as recommended, the Valley might already enjoy this status.

Conservation Area – the clusters of listed buildings in Higher and Lower Yalberton and the ancient orchards should be designated as Torbay's 25th Conservation Area.

County Geological Sites – the two known caves in Yalberton Valley should be assessed for their suitability as County Geological Sites and further studies should be commissioned to identify the full extent and importance of the limestone cave system in the Valley area.

Local Nature Reserve – there appears to be sufficient justification to consider awarding Yalberton Valley this designation due its high value for environmental education and as a place where the public can enjoy nature. There is existing public access along Whitehill Lane (known locally as Litson Lane), a narrow green lane running from Long Road all the way down the Valley to Port Bridge and the Byter Mill / Mill Pond area. Subject to consultation it may also be possible to develop a nature trail based around the stream and orchards with a focus on the abundant bird life.

54. Country Park status is not considered appropriate due to the associated facilities (parking, toilets, etc.) it would entail. Such development does not reflect the objectives of this report, which are to minimise impact on the area and its road network.

55. Consultations on the above proposals should include Torbay Coast & Countryside Trust, stakeholder organisations connected to the species recorded in the ecological surveys and geological organisations such as the Devon Cave Group and the Devon RIGS Group.

56. From the management perspective, it is suggested that the potential to engage South Devon College as a partner be investigated, particularly with regard to the maintenance of the orchards. This would support its objective to encourage 'life-long learning', especially in support of tourism, environmental and horticultural studies. It would also provide the College with a first class learning facility, within walking distance. Organised in conjunction with local landowners, this could be of mutual benefit and reduce the burden on the managing authority.

57. In addition to the suggested Section 106 contributions, other sources of external funding could be explored such as the Heritage Lottery Fund, particularly for any work related to the traditional orchards.

58. Resident involvement is an important element in this proposal. Local residents would, therefore, welcome the opportunity to work closely with Torbay Council's Spatial Planning Team and Environment Officer as well as other stakeholders and partner organisations to ensure that Yalberton Valley is appropriately identified and recognised

in its own right within the emerging Core Strategy document and other documents forming part of the Local Development Framework.

59. It is also noted from the newly published Torbay Heritage Strategy 2011 that there are opportunities to participate in the Heritage Forum and it is proposed that Yalberton Valley be included in the emerging Heritage Action Plan. Residents would welcome further information on this and professional guidance on how best to achieve appropriate designations for Yalberton Valley in relation to the nature conservation and heritage assets herein described.
60. Furthermore, it is suggested that consultation should be widened to include South Hams District Council and Stoke Gabriel Parish Council due to the obvious impacts any activity within Yalberton Valley would have upon them. Such action would truly mirror both national and local government's aim to encourage inclusion and participation.
61. Finally, as mentioned above, it is inevitable that wildlife species will be displaced by the major development at White Rock, particularly during the construction phase. We note from letters available on the Council's planning website that Natural England, the RSPB and the Barn Owl Trust have all made representations in relation to this matter and it would seem prudent of the Council to investigate whether Yalberton Valley could provide a replacement habitat for the species which will be displaced. It is suggested that the Section 106 agreement between Torbay Council and the White Rock developer could include funding sources and management mechanisms to not only establish, but maintain over the longer term, a Local Nature Reserve in Yalberton Valley.

References

Devon Bat Group

Devon Cave Group

Devon RIGS Group Sites

Devon Wildlife Consultants. Extended Phase 1 Habitat Survey (March 2007)

Ecology Reports and Design & Access Statement for White Rock (planning application P/2011/0197)

Habitats Survey for Yannon's Farm (planning application P/2010/0289)

Planning Policy Statement 5

Scheduled Ancient Monument Record

Torbay Green Infrastructure Delivery Plan (April 2011)

The Nature of Torbay 2006-2016 / Torbay Local BAP (2007)

Torbay Council Historic Environment Records

Torbay Draft Core Strategy (2009)

Torbay Greenspace Strategy (2007)

Torbay Heritage Strategy (April 2011).

www.countryside-trust.org.uk (Torbay Coast & Countryside Trust)

www.englishrivierageopark.org.uk (English Riviera Global Geopark)

www.magic.defra.gov.uk (Government's Interactive Environmental Map)

www.pastscape.org.uk (English Heritage National Monuments Record)

www.ptes.org (Traditional Orchards survey)



Making Representations - Guidance Notes and Representation Form

Notes for completing the Torbay Local Plan (Proposed Submission Plan) Representation Form and making representations using the online consultation portal

1. Making representations

Representations (comments) must be made in writing to the Council during the publication period – **9:00am on Monday 24 February to 9:00am on Monday 7 April**. Comments received outside this period will not be accepted and submitted to the Inspector appointed to conduct the Independent Examination of the Proposed Submission Torbay Local Plan (Plan). Please note that comments cannot be treated as confidential. Your comments will be published with your name as part of a document and made publicly available on the Council's website.

Torbay Council will be using an **online consultation portal** and **we would strongly encourage you to use this system** to make representations as it is the most efficient way in which to comment on the Plan. Alternatively, you should submit comments in writing via letter or e-mail using the provided representation form which will ensure you supply all the information necessary for your response to be valid. Copies of this form can be downloaded via the website or posted to you on request.

2. Introduction

The Plan has been published in order for representations to be made prior to its submission to the Secretary of State. The representations will then be considered alongside the published Plan when it is submitted for examination by a Planning Inspector. The Planning and Compulsory Purchase Act 2004 (as amended) (PCPA) states that the purpose of the Independent Examination is to consider whether the Plan complies with the relevant legal requirements, the duty to co-operate and is sound.

3. Legal Compliance and Duty to Co-operate

The Inspector will first check that the Plan meets the legal requirements under S20(5)(a) and the duty to co-operate under S20(5)(c) of the PCPA before moving on to test for soundness.

You should consider the following points before making a representation on legal compliance:

- The Plan in question should be included in the current Local Development Scheme (LDS) and the key stages should have been followed. The LDS is effectively a programme of work prepared by the Local Planning Authority (LPA), setting out the Local Development Documents (LDDs) it proposes to produce. It will set out the key stages in the production of any Plan which the LPA proposes to bring forward for independent examination. If the Plan is not in the current LDS it should not have been published for representations. The LDS should be on the LPA's website and available at its main offices.
- The process of community involvement for the Plan in question should be in general accordance with the LPA's Statement of Community Involvement (SCI). The SCI sets out the LPA's strategy for involving the community in the preparation and revision of LDDs (including Plans) and the consideration of planning applications.

- The Plan should comply with the Town and Country Planning (Local Planning) (England) Regulations 2012 [as amended] (the Regulations). On publication, the LPA must publish the documents prescribed in the Regulations, and make them available at its principal offices and on its website. The LPA must also notify the Local Plan bodies (as set out in the Regulations) and any persons who have requested to be notified.
- The LPA is required to provide a Sustainability Appraisal (SA) Report when it publishes a Plan. This should identify the process by which the SA has been carried out, the baseline information used to inform the process and the outcomes of that process. SA is a tool for appraising policies to ensure they reflect social, environmental and economic factors.
- The Plan must have regard to any Sustainable Community Strategy (SCS) for its area (i.e. county and district). The SCS is usually prepared by the Local Strategic Partnership which is representative of a range of interests in the LPA's area. The SCS is subject to consultation but not to an independent examination.

You should consider the following before making a representation on compliance with the duty to co-operate:

- The duty to co-operate came into force on 15 November 2011 and any plan submitted for examination on or after this date will be examined for compliance. LPAs will be expected to provide evidence of how they have complied with any requirements arising from the duty.
- The PCPA establishes that non-compliance with the duty to co-operate cannot be rectified after the submission of the Plan. Therefore the Inspector has no power to recommend modifications in this regard. Where the duty has not been complied with, the Inspector has no choice but to recommend non-adoption of the Plan.

4. Soundness

Soundness is explained in paragraph 182 of the National Planning Policy Framework (NPPF). The Inspector has to be satisfied that the Plan is positively prepared, justified, effective, and consistent with national policy.

- ***Positively prepared***

This means that the Plan should be prepared on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development.

- ***Justified***

The Plan should be the most appropriate strategy when considered against reasonable alternatives, based on proportionate evidence.

- ***Effective***

The Plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities.

- ***Consistent with national policy***

The Plan should enable the delivery of sustainable development in accordance with the policies in the NPPF.

If you think the content of the Plan is not sound because it does not include a policy where it should do, you should go through the following steps before making representations:

- Is the issue with which you are concerned already covered specifically by national planning policy? If so, does it need to also be included in the Local Plan?

- Is what you are concerned with covered by any other policies in the Plan on which you are seeking to make representations or in any other Plan?
- If the policy is not covered elsewhere, in what way is the Plan unsound without the policy?
- If the Plan is unsound without the policy, what should the policy say?

5. General advice

If you wish to make a representation seeking a modification to a Plan or part of a Plan you should make it clear in what way the Plan or part of the Plan is not sound having regard to the legal compliance, duty to co-operate and the four requirements set out above (note that duty to co-operate matters cannot be dealt with by modification at examination). You should try to support your representation by evidence showing why the Plan should be modified. It will be helpful if you also say precisely how you think the Plan should be modified. Representations should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further submissions based on the original representation made at publication. After this stage, further submissions will be only at the request of the Inspector, based on the matters he/she identifies for examination.

Where there are groups who share a common view on how they wish to see a Plan modified, it would be very helpful for that group to send a single representation which represents the view, rather than for a large number of individuals to send in separate representations which repeat the same points. In such cases the group should indicate how many people it is representing and how the representation has been authorised.

6. Using the Representation Form

Note that the following is only relevant to those submitting comments using the Torbay Council Representation Form. If you are using the online consultation portal to make your comments (via www.torbay.gov.uk/newlocalplan) then this is not relevant.

The form is split into two parts. Part A is for your personal details and Part B is for your response. Please note that Part B should be filled out once for **each policy** you wish to make comments on. Therefore, if you wish to make comments on two policies, two copies of Part B should be submitted as part of your representation (and three copies for three policies, four copies for four policies and so on). Part A, your personal details, need only be filled out once.

If submitting representations via post, it would be helpful if you could attach multiple Part B sheets together, as one document, appearing behind a Part A front sheet. If printing a copy of Part B at home, print pages 6-8 of this form.

If submitting representations via e-mail, you will need to fill out and submit a separate copy of the form for each representation you make and attach them as separate documents. Note that the form is locked for editing but the text boxes will expand to fit the size of your written response to questions.

For further information or assistance please check the website at www.torbay.gov.uk/newlocalplan or contact the Strategic Planning team on 01803 208804.



Torbay Local Plan
A Landscape for Success
The Plan for 2012 – 2032 and beyond
Proposed Submission Plan

For official use:

Representation Form

Please return to Torbay Council by 9:00am Monday 7 April 2014

This Form has two parts:

Part A – Personal details

Part B – Your representation. Please fill in a separate form (Part B) for each representation you make.

Part A – Personal details

	Personal details	Agent's details (if applicable)
Title	mr	j
First name(s)	john	
Last name	pouney	
Organisation (if you are representing that organisation)		
Address – line 1	29	
Address – line 2	hayes gardens	
Address – line 3		
Post Town	paignton	
Postcode	TQ45PH	
Telephone number		
E-mail address		
Consultee ID (if known)		

E-mail comments should be sent to strategic.planning@torbay.gov.uk.

Postal comments should be sent to:

Torbay Local Plan
Spatial Planning
Torbay Council
Electric House (2nd Floor)
Castle Circus
Torquay
TQ1 3DR

Anyone wishing to make comments on the Plan must do so by **9:00am on Monday 7 April 2014**. Any comments received after this deadline will not be published or passed to the Secretary of State with the Local Plan.

Part B – Your representation. Please use a separate Form for each policy you wish to comment on

Please state which policy this representation relates to?

Policy number

If you have comments to make on the supporting text set out in the related Explanation to a Policy or related designations shown on the Policies Map, please also include these within your comments to questions 2 and 3 of this form.

1. Do you consider that this Local Plan policy is:

	YES	NO
(1) Legally compliant	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(2) Sound	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(3) Complies with the duty to co-operate	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Please insert an X in the relevant box

Please note that the considerations in relation to the Local Plan being 'legally compliant', 'sound' and 'complying with the duty to co-operate' are explained in the Representation Form Guidance Notes at the front of this Form, as well as in paragraph 182 of the National Planning Policy Framework).

2. If you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate, please give details and be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also set out your comments here.

The plan does not address key issues the area has with building enough affordable housing or problems with sustainable transport, use of local produce and employment.

3. Please set out what modification(s) you consider necessary to address your representation and make the Local Plan legally compliant or sound (please note that duty to co-operate matters cannot be dealt with by modifications at examination). You will also need to say why this modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Many more houses need to be built on greenfield sites, that allow enough room for families to live comfortably in a happy environment. It is not good enough to cram high rise appartments into brownfird sites, that do not leave enough space in and outside for families to be happy.

Also all new developements need to include wide shared pavements to use with walkers and cyclists as standard.

Also there needs to be a new train station near Torquay Lidl's to be useful for barton new town, shiphay and the hospital. A new tranin station also should be re-opened in kingskerswell.

Off road cycle tracks need to be made in all parks by widening some park paths to allow for shared safe use.

Also the problem of affordable healthy food can easily be adressed with regular local fruit and veg and other local produce stalls/markets in all 3 town centres. This should also include local crafts stalls all year round to encourage small local producers in the area.

(Continue on a separate sheet if necessary)

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a another chance to make further representations based on the original representation made at publication stage.

After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for consideration at the Local Plan Examination.

4. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the Examination?

No, I do not wish to participate at the oral Examination ☒

Yes, I wish to participate at the oral Examination ☐

Please insert an X in the relevant box

Please note the independent Planning Inspector will give equal consideration to representations that are made in writing and to those that are presented orally.

5. If you wish to participate at the oral part of the Examination, please outline why you consider this is necessary:

(Continue on a separate sheet if necessary)

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the Examination.

Please note that your comments and your contact details will be publicly available, although your private e-mail address and telephone number will not be visible on our website.

6. Do you want to be informed of the following:

	YES	NO
Submission of the Local Plan to the Secretary of State?	<input type="checkbox"/>	<input type="checkbox"/>
The publication of the Inspector's Report of the Examination?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
The Adoption of the Torbay Local Plan by the Council?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Please insert an X in the relevant box

7. If you have any other comments relating specifically to any section of Part 1 (Introduction), 2 (Opportunities and challenges), 3 (Vision and ambition), 7 (Delivery and monitoring) and/or the Appendices of the Local Plan please state these below:

(Continue on a separate sheet if necessary)

Signature:

John Pouney

Date:

2/4/14



Comments

Torbay Local Plan Proposed Submission Consultation February 2014 (24/02/14 to 07/04/14)

Comment by	Mr Michael Webster
Comment ID	21
Response Date	07/04/14 01:57
Consultation Point	Torbay Local Plan A landscape for success Proposed Submission Plan (View)
Status	Processed
Submission Type	Web
Version	0.1

Question 1: Legal compliance, soundness and duty to co-operate

Do you consider that this policy/proposal of the Local Plan is **legally & procedurally compliant, and/or sound and/or complies with the duty to co-operate** ? (Please note that the considerations in relation to the Local Plan being 'legally & procedurally compliant', 'sound' and 'complying with the duty to co-operate', are explained in the representation form guidance notes, as well as paragraph 182 of the National Planning Policy Framework).

Do you consider the Local Plan is:

Legally compliant	No
Sound	No
Complies with the duty to co-operate	No

Question 2b: Not Legally compliant, unsound or fails the duty to co-operate (No)

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a another chance to make further representations based on the original representation made at publication stage. **After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for consideration at the Local Plan Examination.**

If you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate, please give details and be as precise as possible.

Not enough emphasise has been given to minimising green field land development and only to be used as a genuine last resort

Population estimates have been exaggerated Collaton St Mary, Yalberton Valley and the entire border with Stoke Gabriel needs special protection, such as similar to AONB due to tourism and wildlife.

New housing at Long Road, White Rock and Totnes Road, Collaton St Mary will have a huge impact on water run off for the Yalberton Stream and will affect the valley and properties along the way including the Mill Pond at Stoke Gabriel. There are already numerous events of flooding and extra housing and run off will make the situation a lot worse.

Question 3. Modifications

Note: Any non-compliance with the duty to co-operate cannot be dealt with by modification at examination.

Do you consider any modification(s) are necessary to address your representation and make the Local Plan legally compliant or sound? Yes

Question 3a: Modifications

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a another chance to make further representations based on the original representation made at publication stage. After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for consideration at the Local Plan Examination.

Please set out what modification(s) you consider necessary to address your representation and make the Local Plan legally compliant or sound (please note that duty to co-operate matters cannot be dealt with by modifications at examination). You will also need to say why this modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Please see Q7.

Question 4: Oral Examination

Attending the oral Examination: Please note the independent Planning Inspector will give equal consideration to representations that are made in writing and to those that are presented orally.

If your answer is 'No' you will move on to Question 6

If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the Examination? No, I do not wish to participate at the oral examination

Question 6: Next Stages Question

Information about the next stages of the Development Plan.

Do you want to be informed of the following:

Submission of the Local Plan to the Secretary of State? Yes

The publication of the Inspector's Report of the Examination? Yes

The Adoption of the Torbay Local Plan by the Council? Yes

Question 7: Other comments

This question applies to Local Plan **Parts 1, 2, 3, 7 and Appendices ONLY**. If you have representations relating to **Local Plan policies**, please make comments in that part of the document by answering **Questions 1 to 6**.

If you have comments relating specifically to any section of Part 1 (Introduction), 2 (Opportunities and challenges), 3 (Vision and ambition), 7 (Delivery and monitoring) and/or the Appendices of the Local Plan please state these below:

Paragraph 2.3.1 & 4.1.20 The need to "Protect and enhance a superb environment" should be extended to existing Areas of Great Landscape Value and to include Collaton St Mary and Yalberton Valley to ensure that these areas are protected to encourage wild life and tourism. Yalberton Valley runs into Stoke Gabriel and both are of significant historic and geological interest.

Yalberton Valley appears to be a natural run for a number of species of bats and suitable mitigation seems highly unlikely.

There is no mention of a "Green Wedge" policy to provide adequate separation from Torbay and the urban South Hams. Policy HE1 Yalberton Valley needs to be recognised in having the potential to be designated as a new Conservation Area along with any other existing areas. Policy ER1

More attention should be given as Paignton is a high flood risk area as shown by this year's rainfall and the coastal storms from Dec 13 to Mar 14.

Highway Infrastructure

Tweenaway junction, although recently modernised is inadequate to cope with the current amount of traffic, especially during August when roads are gridlocked between Paignton and Totnes. This puts pressure on the narrow lanes, especially around Stoke Gabriel, originally designed for horse and cart and never widened since being tarmaced. If there are four cars together this is likely to cause chaos in the roads with many driver unable to reverse. Extra housing will cause more traffic especially if they have to commute out of town.

The lanes also service at least 4 camp sites that encircle Stoke Gabriel and caravans and horse boxes just do not mix and the main road into Stoke Gabriel from Parker's Arms easily gets congested by holiday traffic.

Light pollution

No mention has been made of taking light pollution into account. Stoke Gabriel, a rural village, visited by many tourists throughout the year, has a dark sky policy in that there is no public lighting (other than a few in one very small area). Any new buildings in Paignton North and West are likely to be seen from Stoke Gabriel and the public lighting is likely to be intrusive.