

Bigbury Neighbourhood Plan Policies

Vision

‘To conserve and enhance the unique and special character of our rural and coastal community retaining its heritage significance and its outstanding natural beauty, whilst considering sensitive enhancements for the benefit of residents and visitors’.

Objectives

- To conserve and enhance the outstanding natural beauty of the countryside, coastline, beaches and the Avon estuary.*
- To conserve and enhance the designated and non-designated heritage assets within the parish.*
- To conserve and enhance existing woodlands, trees, hedgerows, Devon banks, green spaces and other important features of our natural landscape which are important to the overall environment and have important biodiversity value.*
- To support the agricultural economy of the parish and to encourage environment friendly farming methods which support biodiversity and which retain existing field boundaries and hedgerows*
- To conserve and enhance the biodiversity value of the area and to protect and enhance the Green Infrastructure of the parish.*
- To restrict new housing development to that which is essential to meeting local needs and only on sites within the existing village settlement boundaries or on the allocated site at St Ann’s Chapel.*
- To maintain the vitality and viability of existing villages within the parish by retaining existing and encouraging new community facilities.*
- To promote a healthy and socially inclusive community by maintaining and enhancing our open space, recreation, leisure and sporting facilities.*
- To retain existing and provide new tourist facilities, if appropriate, ensuring that any new facilities are provided in a manner which preserves the beauty and unspoilt nature of the countryside, the coastline and the beaches.*
- To retain existing employment uses and to provide new facilities for local employment, providing this does not cause harm to the AONB and is in a sustainable location.*
- Any development should be of high quality and sympathetic to the character of the local area.*
- To retain the existing network of local roads and footpaths and encourage the provision of new footpaths, bridleways and cycle ways to provide better access to the countryside and increased safety for pedestrians, cyclists and horseriders.*
- To seek opportunities for improving infrastructure to make the parish more sustainable.*

Policy BP1 – Housing Allocation

Provision will be made for the development of a maximum of 13 dwellings on the site to the rear of Holywell Stores. At least 60% of the dwellings will be affordable and include a range of one, two and three bedroom properties including some bungalows. The highways access should be from the B3392 to the north of St Ann's Chapel and a pedestrian link should be provided to link into Holwell Lane to provide safe and easy access to the Holywell Stores and the school bus stops. A pedestrian link to the Hilltop development should also be provided to enable safe access to the Memorial Hall, children's playground and playing fields. An area of public open space should be provided on site to serve the needs of the residents.

Policy BP2 – Other housing development

a) Replacement housing

Replacement of existing dwellings, providing these are not shown in the Plan as statutory or local heritage assets, will generally be supported providing the proposed development accords with the Policy BP7 – *General design principles for new development* and other relevant Policies of the Plan.

b) Extensions to existing dwellings

Extensions to existing dwellings will be supported providing these are sympathetic to the design of the host dwelling and meet the relevant criteria set out in Policy BP7 – *General design principles for new development* and other relevant Policies of the Plan.

c) Additional dwellings

Any additional dwellings should be contained within the existing settlement boundaries of St Ann's Chapel, Bigbury Village or Bigbury on Sea and should meet the criteria set out in Policy BP7 – *General design principles for new development* and other relevant Policies of the Plan.

Policy BP3 – Subdivision of existing plots

The subdivision of existing plots will be permitted only where the following apply:

- a) *There is no loss to the character or environmental quality of the surroundings;*
- b) *The site is serviced by a suitable existing highway on one or more boundaries;*
- c) *The proposed plot sizes and dwelling sizes are in keeping with other building plots and dwelling sizes in the surrounding area;*
- d) *Proper respect is given to the amenity of adjoining properties including outlook and views;*
- e) *Provision is made for useable private garden space for both the existing and proposed dwellings;*

- f) *The existing front building line is maintained **where appropriate**;*
- g) *There is adequate space for off street parking together with areas of soft landscaping;*
- h) *Verges in front of properties are maintained;*
- i) ***New and replacement front boundary walls, hedges and/or fences are kept low, generally not exceeding one metre in height.***
- j) *Significant features such as trees, hedges or stone walls should be preserved.*

Policy BP4 – Principal residence

Due to the impact on the local housing market and uncontrolled growth of dwellings used for holiday accommodation (second homes or holiday lets) new open market housing, other than one for one replacement dwellings, will only be supported where there is a Section 106 agreement in place to ensure its occupancy as a principal residence. A principal residence is defined as a dwelling where the resident(s) spend the majority of their time when not working away from home. Proof of principal residence includes, but is not limited to being registered on the local electoral roll, at a local school or at the local healthcare centre.

Where proposals for the replacement of existing dwellings by more than the number of dwellings to be demolished is approved the additional dwellings will be subject to a Section 106 agreement to ensure occupancy as a principal residence.

Proposals for open market housing (excluding one for one replacement dwellings) without a Section 106 Agreement to ensure occupancy as a principal residence will not be supported.

Policy BP5 – Housing for the elderly

*Proposals for sheltered housing or assisted living accommodation will be encouraged providing **these are** on a previously developed site or site within the village settlement boundaries. **They** would also need to meet the other Policies of the Plan, including those relating to layout and design, and any new development would need to ensure that the appearance and character of the villages **or surrounding countryside** was not harmed.*

Policy BP6 – Residential care and nursing homes **for the elderly**

a) Loss of existing residential care and nursing homes for the elderly

Loss of existing care homes or nursing homes will only be acceptable in exceptional circumstances where:

- i) New facilities of a similar type are provided in the local area to replace the facilities being lost; or
- ii) There is a proven absence of demand for the continuation of the use and the site has been marketed effectively for such use over a period of at least 12 months at an appropriate level.

In circumstances where the loss of an existing care home or nursing home is considered to be acceptable, the site should be used for some alternative provision for the elderly, such as the provision of dwellings, specifically designed for the elderly, and subject to an occupancy restriction to ensure that the dwellings are used for this purpose in perpetuity.

Any new development should also comply with Policy BP7 – *General design principles for new development* and other relevant policies of the Plan.

b) Proposals for new care or nursing homes for the elderly

Proposals for new care or nursing homes will be encouraged providing these are on previously developed sites or sites within the village settlement boundaries and would meet the other Policies of the Plan, including those relating to layout and design. Any new development would need to ensure that the appearance and character of the villages or surrounding countryside was not harmed.

Policy BP7 – General design principles for new development

When considering new and replacement housing development and other types of development, in locations which are considered to be acceptable in principle and which meet the other relevant policies of this plan, the following criteria should be taken fully into account:

- i. *Proposals should be locally distinctive, reflecting the appearance and character of the area in which the development is to be located. In this respect regard should be had to the design guidance set out in the village studies set out in **Appendices 7-10**. Innovative contemporary design solutions may be acceptable in some locations providing these do not have a harmful effect on the overall appearance and character of the area and do not by reason of an excessive amount of glazing result in unreasonable levels of light pollution;*
- ii. *The height, scale and density of development should reflect the existing grain, height, density and pattern of development in the surrounding area. The materials used for the external elevations should preferably be natural materials and be consistent with those used for other buildings in the locality, providing these do not detract from the appearance and character of the surroundings;*
- iii. *The front building line should be maintained where appropriate;*
- iv. *Verges in front of properties should be maintained;*

- v. *Front boundary walls, hedges, and/or fences should be kept low, generally not exceeding one metre in height;*
- vi. *Proposals should protect residential amenity and should not have an unacceptable impact on the living conditions of occupiers of neighbouring properties by reason of loss of outlook, loss of important views, including views of the sea, estuary, river valleys and moorland, loss of privacy or overlooking, overbearing and dominant impact, noise or other disturbance;*
- vii. *Proposals should be designed to limit the impact of light pollution from artificial light resulting in harm to local amenity or areas of intrinsically dark landscape..*
- viii. *There should be a safe means of access to the site, which does not result in the unacceptable loss of natural features, or the need to provide excessive widening of local roads. Adequate off street car parking *in accordance with Policy BP28* should also be provided on part of the site which would not cause nuisance to the occupiers of neighbouring properties;*
- ix. *Proposals should ensure that the infrastructure needs of the development can be provided and put in place prior to the commencement of the development where appropriate or provided prior to the occupation of the development;*
- x. *Proposals should retain important natural features including the retention of existing trees, hedgerows and grass verges and should include proposals to enhance the landscaping of the site and improve its biodiversity;*
- xi. *Proposals should seek to ensure protection of statutory and non-statutory heritage assets both above and below ground;*
- xii. *High levels of sustainability *aiming for zero levels of carbon emissions* should be used in the design and construction.*

Policy BP8 – Existing and proposed employment

a) Loss of existing employment facilities

Loss of existing employment facilities will only be acceptable in exceptional circumstances where:

- i) *Alternative employment facilities have been provided elsewhere in the Parish to replace the facilities being lost; and/or*
- ii) *There is no demand for the continuation of an employment use on the site and the property or site has been marketed effectively for a period of at least 12 months at an appropriate level.*

b) New employment facilities

New business and industrial development will be supported providing the size and scale of any new buildings proposed for the use are sensitive to their surroundings, particularly if in close proximity to residential properties. Any new development should also be located on previously developed land or within the settlement boundaries of St Ann's Chapel, Bigbury Village or Bigbury on Sea and should not cause harm to the AONB. In addition, the proposed use should not give rise to use of a large number of heavy goods vehicles, undue noise, disturbance or other type of nuisance.

Policy BP9 – Agricultural development

Proposals for agricultural development requiring planning permission (ie outside permitted development rights) or farm diversification projects will be supported provided that:

- i. It is well related to an existing farmstead or agricultural complex or very special reasons are provided to demonstrate why these need to be located elsewhere, as long as no harm is caused to the landscape and scenic beauty of the AONB;*
- ii. It will not give rise to a significant increase in traffic or use of heavy goods vehicles;*
- iii. It will make a continuing contribution to the economic viability of an existing farm unit.*

Policy BP10 – Conversion of Farm and Rural Buildings for Residential Purposes

Proposals for the conversion of farm or rural buildings for residential use will be supported in cases where it can be demonstrated that the premises are no longer required for agricultural or any other economic use, that the building is structurally sound and is capable of conversion without significant rebuilding or extensions and respects the original character of the building. Any new dwelling or dwellings created by the conversion will be subject to the principal residence policy as set out in Policy BP4.

Policy BP11 – Tourism related development

Proposals which will support the existing tourism facilities such as new or extended beach shops, cafés, restaurants, leisure facilities, or enhanced facilities for the RNLI or Coastguards will be supported. These facilities should not however result in undue noise or disturbance or result in a significant increase in traffic, and they should not be located in locations outside of the existing villages, on the beach or any undeveloped part of the coastline or the Avon Estuary. Development on Burgh Island will be supported where it is related to the preservation, renovation or enhancement of the existing hotel, inn or other buildings and assists in the preservation and enhancement of the function of the island as a tourist attraction and important area of open green space.

Policy BP12 – Catered holiday accommodation

a) Loss of existing catered holiday accommodation

Existing hotels, hostels, and bed and breakfast establishments should be retained unless:

- i) The facilities are replaced with other catered holiday accommodation within the local area.
- ii) There is no demand for the continuation of the use and the property or site has been marketed effectively for a period of at least 12 months at an appropriate level.

b) New catered holiday accommodation

New proposals for hotels, hostels, bed and breakfast establishments and extensions will be supported on existing developed sites or within existing village settlement boundaries, subject to compliance with Policy BP7 – *General design principles for new development* and other relevant Policies of the Plan.

Policy BP13 – Camping and caravan sites

Having regard to the size and prominence of existing caravan and camping sites and the harm which has already been caused to the otherwise rural and open character of the parish within an area of outstanding natural beauty any proposals for new, or the extension or intensification of existing, camping and caravan sites, will not be supported unless it can be demonstrated that the proposal will not cause any harm to the character or appearance of the countryside and will be well screened by landform, trees or hedgerows.

Policy BP14 – Community facilities

a) Loss of existing community facilities

Existing retail, leisure and other types of community facilities should be retained unless:

- i) The facilities are replaced with community facilities of similar or better quality or value to the local community;

b) New community facilities

New community facilities will be supported providing that they would not cause harm to the amenities of nearby properties, there are adequate off street car parking facilities available and subject to compliance with Policy BP7 – *General design principles for new development* and other relevant Policies of the Plan.

Policy BP15 – Local Green Spaces

The designated 'Local Green Spaces' as listed above should remain permanently open and will be protected from inappropriate development in accordance with local and national policy for Green Belts.

Policy BP16 – Open spaces and recreation

Public and private open spaces, used for recreation, leisure or sport should remain open and in use for those purposes including the recreational ground and playing fields adjacent to The Memorial Hall at St Ann's Chapel, the open space to the north of Bigbury Court and the Bigbury Golf Club. . A new area of public open space will be provided as part of any new housing development of 8 or more units. There will also be support for existing and any new or improved recreational facilities including the swimming pools, fitness centres and beach based water sports activities at Bigbury on Sea and Challaborough.

Policy BP17 – Footpaths and cycle tracks

Existing footpaths within the parish will be protected and enhanced where possible and opportunities will be sought and supported to provide new footpaths (whether public rights of way or permissive paths), bridleways and cycle tracks to link villages and to provide more access to the Avon Estuary and the countryside.

Policy BP18 – Area of Outstanding Natural Beauty

Major development within the AONB will not be supported except in exceptional circumstances where it is specifically designed to meet the identified local needs of the parish and is designed to ensure that development will not cause undue harm to the landscape and scenic beauty of the AONB.

In considering any development within the AONB great weight will be given to:

- Conserving and enhancing the natural landscape and scenic beauty of the area;
- Conserving and enhancing facilities for wildlife, the cultural heritage and the built heritage of the area;
- Avoiding light pollution due to excessive glazing or external lighting;
- Avoiding development that would cause undue noise and disturbance, resulting in loss of existing tranquillity.
- Avoiding loss of wide, unspoilt and iconic views of the coast and countryside;
- Retaining natural heritage features including Devon hedgebanks;

- Retaining the ancient and intricate network of winding lanes, paths and recreational routes.

Policy BP19 – Heritage Coast and Undeveloped Coast

Development which would have a detrimental effect on the undeveloped and unspoilt character, appearance and tranquillity of the Heritage Coast, Undeveloped Coast, its beaches and the Avon Estuary will not be permitted. Development will only be permitted in the Undeveloped Coast where the development:

- 1. Can demonstrate that it requires a coastal location;*
- 2. It cannot be located in an area which is not designated as Undeveloped Coast, such as within existing village settlement boundaries of Bigbury on Sea, St Ann's Chapel or Bigbury Village;*
- 3. Protects, maintains and enhances the unique landscape and seascape character and special qualities of the area;*
- 4. Is consistent with policy statements for the local policy unit as set out in the Shoreline Management Plan (SMP2) Durlston Head to Rame Head;*
- 5. Is consistent with the policies of the South Devon AONB Unit Management Plan.*

Development for the purposes of agriculture, forestry, public access and enjoyment of the coast and estuaries or for community or recreational facilities that meet the objectively assessed needs of the parish will be supported if it meets the above tests.

Policy BP20 – Woodlands, trees, hedgerows and Devon hedgebanks

Woodlands, trees, hedgerows and Devon banks which make a significant contribution to the landscape, local amenity, environmental character of the area or are of important nature conservation value should be retained. In particular, development resulting in the loss or deterioration of irreplaceable habitats, such as ancient woodland or veteran trees, will be refused, unless there are wholly exceptional reasons and provision of a suitable mitigation strategy. If it is essential to remove any hedgerows or Devon banks as part of new development this should be kept to a minimum and mitigation measures such as the planting of new trees and hedgerows and provision of Devon banks should be provided where possible.

Policy BP21 – Wildlife sites and biodiversity

Proposals that might affect wildlife sites and habitats should be avoided. If these sites are affected appropriate mitigation measures should be put in place and form part of any planning application proposals.

Measures to enhance the biodiversity should form part of all new development and will be encouraged on all other sites in the Parish.

Policy BP22 – Coastline, beaches and the Avon estuary

The coastline, beaches and the Avon estuary shall be protected and conserved and no new development which might cause harm to the stability and/or beauty of the coastal cliffs, coastal pathways, beaches or the Avon estuary will be allowed. Ways to reduce pollution of the Avon Estuary, litter on the beaches and harm to the marine life will be promoted.

Policy BP23 – Views and vistas

Important views and vistas should be protected and any new development which adversely affects these views will not be supported. This includes development that might introduce incongruous features, cause harm to the openness of the area, be visible on the skyline, or intrudes into or otherwise adversely affects important views of the sea, the Avon Estuary or views of heritage assets.

Policy BP24 – Built heritage

Great weight shall be given to the conservation of both designated and non-designated heritage assets as identified within the Neighbourhood Plan and special regard shall be given to the desirability of preserving the asset or its setting and any features of special architectural or historic interest which it possesses.

Policy BP25 – Transport and highways

The existing network of mainly single track roads with passing places should be retained, together with the high Devon banks which are important to the character of the area. Any new development should have regard to the need to retain as much Devon bank as possible whilst ensuring adequate visibility. Opportunities for more passing places should be considered providing these do not result in the removal of mature Devon hedgebanks. Existing footpaths should be maintained, and new or improved footpaths and cycle ways provided, where possible, to provide better access to the countryside and greater safety for pedestrians and cyclists.

Policy BP26 – Car parks

Proposals to develop a car park which is considered essential to support the tourist industry at Bigbury on Sea or to serve the needs of the local community will be supported providing this does not have a harmful effect on the landscape and beauty of the natural environment *and is compliant with other Policies of the Plan*. Any such proposals should also consider the possibility of including facilities for coach parking.

Policy BP27 - Air Ambulance Night Landing

Proposals to develop further air ambulance night landing sites to serve the parish will be supported providing this does not result in harm to the special qualities of the AONB and Heritage Coast and is controlled so that it does not result in unacceptable levels of light pollution *and is in compliance with other Policies of the Plan*.

Policy BP28 – Parking provision

Proposals for housing development will be required to provide a minimum of one off-street parking space *for units with 1 bedroom*, a minimum of two off-street parking spaces for units of *2 bedrooms*, and three parking spaces for units of 3 or more bedrooms.

Proposals for housing developments of *three* or more dwelling units *should also, if possible, provide additional spaces for visitors*.

Grass verges should be provided in front of properties where appropriate to *discourage* parking taking place *on the roads* in front of residential properties.

Off-street car parking for other types of development will be assessed on an individual assessment basis depending on the type of use and location of the site.

Policy BP29 - Connectivity

Proposals to improve mobile services or Broadband speeds will be supported subject to the following criteria:

- (i) transmitters, receivers (or other structures) are located close to an existing road or access tracks;
- (ii) the equipment is sympathetically designed *and/or* camouflaged where appropriate; and
- (iii) there is no harmful visual impact on skylines or important views or vistas.

Policy BP30 – Renewable energy

Proposals for small scale renewable energy schemes, close to or attached to individual properties will generally be supported providing these have no harmful impact on the appearance or character of a designated or undesignated heritage asset or on the South Devon AONB, including cumulative landscape and visual impact.

Proposals for solar arrays or wind turbines on open farmland will not be supported.