



# Brixham Town Council

## Minutes of the Hybrid Extraordinary Meeting of Brixham Town Council held at Scala Hall, Brixham Town Hall on 1<sup>st</sup> November 2021 at 6.00pm

<b>Present</b>	Cllrs P Addison (C), D Blackmore, R Haddock (VC), S Laurie, A Massey and J Regan
<b>In attendance</b>	Linda McGuirk, Deputy Town Clerk 3 representatives on behalf of the Developer 52 members of the public attended the meeting plus 46 members of the public attending virtually
<b>Welcome</b>	Councillor Addison opened the meeting. Due to the nature of the business being transacted Councillor Addison handed over Chairing the meeting to Councillor Blackmore as Chairperson of the Planning & Regeneration

<b>21123</b>	<b>Apologies for absence through the Clerk.</b> Apologies were received and accepted from Cllr S Leech.
<b>21124</b>	<b>Declarations of Interest</b> None.
<b>21125</b>	<b>Planning Application P/2021/0890</b> Construction of 133 residential dwellings with access roads, infrastructure and public open space, Land at Upton Manor Farm Camp Site, Brixham.  It was <b>resolved</b> to lift Standing Orders to allow members of the public to speak.  Residents passionately objected to the application, raising concerns about the already over stretched services in the town such as schools, doctors, dentists, Banks and public transport.  Further concerns included: <ul style="list-style-type: none"><li>• Restricted access to the site</li><li>• Poor existing infrastructure</li><li>• Insufficient parking</li><li>• Lack of employment opportunities</li><li>• Damage to the tourist industry due to poor infrastructure and loss of tourist provision</li><li>• Drainage and flooding issues</li><li>• Highways issues</li><li>• Potential increase in second homes</li><li>• Negative environmental impact</li><li>• The Local Housing shortage should be met by utilising the large volume of empty properties in the town and requires a housing policy based on local need and not profit.</li></ul>

- Devastating impact on the Area of Outstanding Natural Beauty (AONB), the development site lies wholly within the South Devon AONB.
- Site is not allocated in the Brixham Peninsula Neighbourhood Plan (BPNP)
- Over development of site
- Site is on the known flight path of the Greater Horseshoe Bats from the Berry Head Roost.
- Site was rejected in the Housing Site Assessment contained in the BPNP
- Contrary to major policies contained in both the BPNP and Torbay Local Plan
- Site lies outside the Settlement Policy E2 of BPNP
- Serious harm to the surrounding area of the AONB
- National Planning Policy Framework (NPPF) Great weight should be given to enhancing and protecting beauty in areas of AONB
- Serious harm to the character of the AONB

Ward Cllr Morey advised residents they should attend the Torbay Council Planning meeting to show the depth of feeling against the application.

It was **resolved** to reinstate Standing Orders.

Members discussed the concerns raised during the meeting.

It was **resolved** to object to the application taking into account the concerns raised by the residents. A robust response will be submitted to the Local Planning Authority taking into account the relevant policies outlined in the Brixham Peninsula Neighbourhood Plan, Local Plan and NPPF. It was further noted that the Local Planning Authority has not received responses on behalf of the AONB and Natural England, on sight of these documents the Town Council may amend or add to their objection.

The meeting closed at 20:20

Chairperson ..... Date.....

Appendix One:



# Brixham Town Council

First Floor, Brixham Town Hall,  
New Road, Brixham, TQ5 8TA

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Town Clerk: Mrs Tracy Hallett

Torbay Council  
Planning Department  
Town Hall  
Castle Circus  
Torquay  
TQ1 3DR

2<sup>nd</sup> November 2021

Dear Sirs

**P/2021/0890 Construction of 133 residential dwellings with access roads, infrastructure and public open space, Land at Upton Manor Farm Camp Site, Brixham.**

Brixham Town Council considered planning application P/2021/0890 at its Extraordinary Council Meeting held on Monday 1<sup>st</sup> November 2021 and resolved to object to the proposed application.

The meeting included representatives on behalf of the Developer, Ward Councillors and 98 members of the community. The residents in attendance were provided with an opportunity to speak regarding the application, all spoke passionately against the proposed development, highlighting concerns about the current lack of essential services in Brixham. In particular limited school capacity, one medical centre, no NHS dentists, no banks, poor public transport and inadequate parking. Brixham is unable to cope with the demand of its existing residents and visitors.

Residents also raised concerns about:

- Restricted access to the site
- Inadequate infrastructure
- Insufficient parking
- Increased traffic
- Lack of employment opportunities
- Damage to the tourist industry due to poor infrastructure and further loss of tourist provision
- Drainage and flooding issues
- Inadequate Highways, both into Brixham and surrounding the proposed site
- Potential increase in second homes
- Negative environmental impact
- Local Housing shortage should be met by utilising the large volume of empty properties in the town and requires a housing policy based on local need and not profit.

- Devastating impact on the Area of Outstanding Natural Beauty (AONB) - the development site lies wholly within the South Devon AONB.
- Site is not allocated in the Brixham Peninsula Neighbourhood Plan (BPNP)
- Over development of site
- Site is on the known flight path of the Greater Horseshoe Bats from the Berry Head Roost.
- Site was previously rejected in the BPNP Housing Site Assessment
- Application is contrary to major policies contained in both the BPNP and Local Plan
- Site lies outside the Settlement Policy E2 of the BPNP
- Proposal will cause serious harm to the surrounding area of the AONB
- National Planning Policy Framework (NPPF) states “Great weight should be given to enhancing and protecting beauty in areas of AONB”

It was noted, a previous proposal in 1988 to develop the site was rejected and subject to an appeal to the Planning Inspectorate for the Secretary of State. The appeal was dismissed on the grounds that it would be “seriously detrimental to the character of the Area of Outstanding Natural Beauty and the surrounding countryside in general.” This is further supported in the BPNP Housing Site Assessment document which concludes “The site is not deliverable because of the severe landscape and environmental constraints”.

Brixham Town Council is opposed to this application due to its departure from the made Brixham Peninsula Neighbourhood Plan, Local Plan and the NPPF. The application is contrary to the following key policies:

<b>Brixham Peninsula Neighbourhood Plan</b>	
J4.2	Local employment
BH2	Occupation of new affordable homes
BH3	Delivery of new homes
BH4	Brownfield & Greenfield sites
BH8	Access to new dwellings
BH9	Exception Sites
E1	Landscape beauty and protected areas
E6	Views and Vistas
E8,5.38,5.39, 5.40,5.41,5.48	Internationally and nationally important ecological sites and species, Greater Horseshoe Bats
L2	Educational provision to local need
TO1.2 and TO1.3	Support for Tourism

<b>Torbay Local Plan</b>	
SDB1	Brixham strategic policy area
SS3	Presumption in favour of sustainable development
SS6	Strategic transport improvements
SS7	Infrastructure, phasing and delivery of development
SS8	Natural environment
SS9	Green infrastructure
SS10	Conservation and the historic environment
SS11	Sustainable communities
SS12	Housing
SDB3	Brixham Urban Fringe and Area of Outstanding Natural Beauty <sup>3</sup>
TO2	Change of use of Tourism accommodation and facilities
TA1	Transport and accessibility

TA2	Development access
C1	Countryside and the rural economy
C2	Coastal landscape
C4	Trees, hedgerows and natural landscape features
NC1	Biodiversity and geodiversity
DE1	Design
SC1	Healthy Bay
ER1	Flood Risk
ER2	Water management
W5	Waste water disposal

**National Planning Policy Framework.**

According to the NPPF (National Planning Policy Framework, 2021) the objective is to achieve sustainable development by “meeting the needs of the present without compromising the ability of future generations to meet their own needs”. At the heart of this framework is the presumption in favour of sustainable development (NPPF: para 11). However, for decision taking there are exceptions (NPPF: para 11d) which states “in the absence of relevant development plans” e.g. a 5 year land supply “or where policies of the development plan are out of date and any adverse impacts of doing so would significantly and demonstrably outweigh the benefits”.

It is difficult to conceive a more poorly located site given the scale in which the proposed development departs from the BPNP, Local Plan and NPPF. The development would have a demonstrable impact on the AONB and will result in a fundamental and irreversible loss of this important site.

Yours sincerely

*Linda McGuirk*

Linda McGuirk  
Deputy Town Clerk

Cc Brixham Ward Councillors: C Brown, T Manning, J Stockman, M Morey and V Ellery.