



Dartmoor Local Plan (2018 - 2036) Examination

Schedule of Proposed Main Modifications (MMs) (ED05)

1. The Dartmoor Local Plan (2018 - 2036) was submitted to the Secretary of State on 22 September 2020.
2. As part of the examination process a number of proposed Main Modifications (MMs) have been identified by the Authority, at this stage. A Main Modification is an amendment which is considered necessary to make the Local Plan sound or legally compliant, addressing issues raised during the examination process.
3. This schedule identifies the proposed Main Modifications. These Main Modifications will be considered by the Planning Inspector, and additional Main Modifications may be identified during the examination process. The need for updated Sustainability Appraisal, Habitats Regulations Assessment, and public consultation would be addressed prior to these being taken forward.

Ref	Section / Policy	Paragraph / part	Published wording	Main Modification
MM01	Section 1.3	Figure 1.2 part 7	'Avoid impact on flood risk'	'Avoid <u>adverse</u> impact on flood risk'
MM02	Section 1.3	Strategic Policy 1.2 (2) part h)	'avoids development which impacts upon flood risk...'	'avoids development which <u>has an adverse</u> impacts upon flood risk...'
MM03	Strategic Policy 1.4 (2)	Part 2b	'to maintain employment sites and give opportunities for new or improved employment sites where appropriate opportunities exist'	'to maintain employment sites and give opportunities for new or improved <u>small-scale</u> employment sites where appropriate opportunities exist'
MM04	Section 1.7	Policy 1.8 (2)	' c) introduce levels of noise, vibration, lighting, odours, fumes or dust that would adversely affect human health; or '	' c) introduce levels of noise, vibration, lighting, odours, fumes or dust that would adversely affect human health <u>or quality of life; and/or</u>
MM05	Section 2.3	Paragraph 2.3.18, part 2.	'Mitigate adverse impacts by providing on-site enhancements, such as habitat areas or biodiversity features, or by changing work practices and timings to ensure no adverse impact on biodiversity.'	' Minimise adverse impacts and then Mmitigate <u>remaining</u> adverse impacts by providing on-site enhancements, such as habitat areas or biodiversity features, or by changing work practices and timings to ensure no adverse impact on <u>net gain of</u> biodiversity'
MM06	Section 2.3	Paragraph 2.3.18 Part 3	'... compensate for losses by providing off-site enhancements which represent a net gain over the existing.'	'... compensate for losses by providing off-site enhancements which represent a net gain over the existing. '
MM07	Strategic Policy 2.2 (2)	Part 1	'Development must conserve and/or enhance Dartmoor's biodiversity and geodiversity and result in no net loss.'	'Development must conserve <u>and/or</u> enhance <u>all</u> Dartmoor's biodiversity and geodiversity and result in no net loss. '
MM08	Strategic Policy 2.2 (2)	Part 2 a) ii)	3. For the exceptional circumstances test to be met, applicants must demonstrate that: a) there is no less harmful option available with regard to, in order of preference: i) avoiding adverse impacts altogether, ii) minimising adverse impacts and mitigating any unavoidable impacts on-site, or iii) where adequate on-site mitigation measures are not possible, provide off-site compensatory	3. For the exceptional circumstances test to be met, applicants must demonstrate that: a) there is no less harmful option available with regard to, in order of preference: i) avoiding adverse impacts altogether, ii) minimising adverse impacts and mitigating any unavoidable impacts on-site, or

			<p>measures which represent a net gain over the existing; and</p> <p>b) for internationally protected sites or species (e.g. SACs) and other sites affecting their wider natural network, including candidate SACs, the development must be of overriding public and environmental interest and compensatory measures must be provided to protect the overall coherence of the site and its wider network, and maintain its species population at favourable conservation status in its natural range; or</p> <p>c) for nationally protected sites (e.g. SSSIs) or species, the development must result in benefits which clearly and significantly outweigh its adverse impact on the site or its wider natural network; or</p> <p>d) for locally protected wildlife sites (e.g. CWSs), Regionally Important Geological Sites (RIGS) and the Dartmoor priority habitats and species listed in Table 2.1 the development must result in benefits which significantly outweigh its adverse impact on the site; or</p> <p>e) for Dartmoor priority habitats listed in Table 2.1 which are of non-functional size, development must not have a significant adverse impact on the integrity of the local natural network.</p>	<p>iii) where adequate on-site mitigation measures are not possible, provide off-site compensatory measures which represent a net gain over the existing; and</p> <p>ba) for internationally protected sites or species (e.g. SACs) and other sites affecting their wider natural network, including candidate SACs, the development must be of overriding public and environmental interest and compensatory measures must be provided to protect the overall coherence of the site and its wider network, and maintain its species population at favourable conservation status in its natural range; or</p> <p>eb) for nationally protected sites (e.g. SSSIs) or species, the development must result in benefits which clearly and significantly outweigh its adverse impact on the site or its wider natural network; or</p> <p>dc) for locally protected wildlife sites (e.g. CWSs), Regionally Important Geological Sites (RIGS) and the Dartmoor priority habitats and species listed in Table 2.1 the development must result in benefits which significantly outweigh its adverse impact on the site; or</p> <p>ed) for Dartmoor priority habitats listed in Table 2.1 which are of non-functional size and not irreplaceable, development must not have a significant adverse impact on the integrity of the local natural network.</p> <p><u>4. All development with the potential to have adverse impacts on biodiversity must demonstrate that:</u></p> <p><u>a) there is no less harmful option available with regard to, in order of preference:</u></p> <p><u>i) avoiding adverse impacts altogether,</u></p> <p><u>ii) minimising adverse impacts and mitigating any remaining unavoidable impacts on-site, or</u></p> <p><u>iii) where adequate on-site mitigation measures are not possible and as a last resort, provide off-site</u></p>
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				<u>compensatory measures which represent a net gain over the existing.'</u>
MM09	Section 2.3	Paragraph 2.3.24	'Strategic Policy 2.3 ensures that development with the potential to impact on habitats and biodiversity makes a proportionate contribution to biodiversity enhancement. The policy must be applied after the strategic biodiversity policy (Strategic Policy 2.2), which protects designated sites and priority habitats from harmful development. This policy then ensures that loss of unprotected habitat is appropriately compensated for.'	'Strategic Policy 2.3 ensures that development with the potential to impact on habitats and biodiversity makes a proportionate contribution to biodiversity enhancement. The policy must be applied after the strategic biodiversity policy (Strategic Policy 2.2), which protects designated sites and priority habitats from harmful development. This policy then ensures that <u>protected and unprotected habitat is appropriately compensated for.'</u>
MM10	Section 2.7	Section 2.7		Move section 2.7 to section 2.5
MM11	Section 2.7	Paragraph 2.7.3	'The Local Plan will ensure that flood risk is taken into account in all new development, managing risk by directing land uses to the most appropriate locations. Development should not take place where it would have an unacceptable level of flood risk, or where it would increase flood risk elsewhere by, for example, reducing flood storage, impeding the flow of flood water or increasing run-off'	'The Local Plan will ensure that flood risk is taken into account in all new development, managing risk by directing land uses to the most appropriate locations. <u>All sources of flooding will be taken into account, including water courses, surface and ground water flooding.</u> Development should not take place where it would have an unacceptable level of flood risk, or where it would increase flood risk elsewhere by, for example, reducing flood storage, impeding the flow of flood water or increasing run-off. <u>Devon County Council is the Lead Local Flood Authority responsible for managing local flood risk on Dartmoor and a statutory consultee for major development. The Environment Agency's Flood Zone map and Devon County Council's Surface Water Flooding map are used to identify the potential for flood risk.'</u>
MM12	Section 2.7	Paragraph 2.7.4	'The purpose of the FRA is to provide a basis for applying the sequential test to flood risk, which steers new development to areas with the lowest probability of flooding.'	'The purpose of the FRA is to <u>demonstrate the flood risks to and from a proposed development, it will also help inform the flood risk</u> provide a basis for applying the sequential test to flood risk, which steers new development to areas with the lowest probability of flooding. <u>It should also be noted that not all developments have equal flood vulnerability, for example caravans, mobile homes, emergency services,</u>

				<p>and hazardous installations are considered more vulnerable than dwellings²¹.</p> <p>[Footnote] See National Planning Practice Guidance for further guidance: https://www.gov.uk/guidance/flood-risk-and-coastal-change.’</p>
MM13	Section 2.7	Policy 2.9 (2)	<p>3. In exceptional circumstances, development which does not satisfy the sequential test will be permitted in flood risk areas when:</p> <p>a) there are no suitable locations of lower flood risk;</p> <p>b) the development is demonstrated to provide wider benefits which outweigh flood risk;</p> <p>c) there will be appropriate flood protection for the lifetime of the development, taking account of the vulnerability of its users; and</p> <p>d) the development will not increase flood risk elsewhere, and where possible, will reduce flood risk overall.</p>	<p>3. In exceptional circumstances, <u>where development which does not satisfy the sequential test demonstrates there are no suitable locations of lower flood risk, development</u> will be permitted in flood risk areas when:</p> <p>a) there are no suitable locations of lower flood risk;</p> <p>ab) the development is demonstrated to provide wider benefits which outweigh flood risk;</p> <p>be) there will be appropriate flood protection for the lifetime of the development, taking account of the vulnerability of its users; and</p> <p>cd) the development will not increase flood risk elsewhere, and where possible, will reduce flood risk overall.</p>
MM14	Section 3.11	Paragraph 3.11.5	“... it must meet the criteria described in 3.9.3.”	“... it must meet the criteria described in 3.9.5 3 .”
MM15	Section 3.11	Paragraph 3.11.7, first bullet	‘...land use activities proposed are capable of supporting the needs of the occupants.’	‘...land use activities proposed are capable of supporting the needs of the occupants <u>within a reasonable period of time and no more than 5 years from first occupation.</u> ’
MM16	Policy 3.12 (2)	Part h)	‘h) the proposal demonstrates a business plan and sufficient land is available which can provide for the livelihood and substantially meet the needs of all residents on the site.’	‘h) the proposal demonstrates a business plan and sufficient land is available which can provide for the livelihood and substantially meet the needs of all residents on the site <u>within a reasonable period of time and no more than 5 years from first occupation.</u> ’
MM17	Policy 5.6	Part 2c	‘suitable historic buildings are used first in accordance with Strategic Policy 2.7’	‘suitable historic buildings are used first in accordance with <u>Strategic Policy 2.6 and/or Strategic Policy 2.7</u> ’
MM18	Section 6	Strategy	‘maximise the use of recycled materials and secondary aggregates’	‘maximise the use of recycled materials and secondary aggregates <u>as far as practicable</u> ’

MM19	Section 6.1	Paragraph 6.1.4	'Large scale minerals development can have a significant and irreversible impact and is not considered appropriate in the National Park other than in exceptional circumstances. The environmental impact of minerals operations has improved significantly in recent years, though, and where existing infrastructure and mitigation is in place the extension of existing operations can be the most efficient and reasonable approach to sustaining a source of minerals.'	'Large scale m Minerals development <u>that is considered to be Major Development, as defined in Strategic Policy 1.5,</u> can have a significant and irreversible impact and is not considered appropriate in the National Park other than in exceptional circumstances. The environmental impact of minerals operations has improved significantly in recent years, though, and where existing infrastructure and mitigation is in place the extension of existing operations can be the most efficient and reasonable approach to sustaining a source of minerals.'
MM20	Section 6.1	Paragraph 6.1.11	The following areas are identified on the Policies Map as Minerals Safeguarding Areas: <ul style="list-style-type: none"> • Linhay Hill Quarry • Meldon Quarry • Yennadon Quarry • Blackenstone Quarry • Merrivale Quarry • Prison Quarry 	The following <u>summarises</u> areas are identified on the Policies Map as Minerals Safeguarding Areas: <ul style="list-style-type: none"> • Linhay Hill Quarry • Meldon Quarry • Yennadon Quarry • Blackenstone Quarry • Merrivale Quarry • Prison Quarry • <u>Lee Moor Quarry complex</u>
MM21	Policy 6.1 (1)	4	4. In all cases: a) all reasonable mitigation must be provided for in the proposal, in order to minimise environmental and socioeconomic impacts; and	4. In all cases: a) all reasonable mitigation must be provided for in the proposal, in order to minimise <u>any negative</u> environmental and socioeconomic impacts; and
MM22	Policy 6.1 (1)	4	'1. Large scale minerals development will not be allowed other than in exceptional circumstances and where it can be demonstrated that the proposal is in the public interest. In assessing proposals DNPA will consider: a) the demonstrable wider need for the development; b) an objective assessment of alternatives outside the National Park;	'1. Large scale m Minerals development <u>that is Major Development, as defined in Strategic Policy 1.5 (2),</u> will not be allowed <u>approved</u> other than in exceptional circumstances, and where it can be demonstrated that the proposal is in the public interest. In assessing proposals DNPA will consider: a) the demonstrable wider need for the development; b) an objective assessment of alternatives outside the National Park;

			<p>c) the impact upon the special qualities of the National Park; and d) strategic priorities for the National Park.</p> <p>2. The small scale expansion of existing quarries, or extension of time for minerals operations, will be permitted where it can be demonstrated that the socioeconomic benefits of the development outweigh any impact upon the National Park's Special Qualities.</p> <p>3. Small scale quarrying of traditional building stone will be permitted where it is demonstrated that there is an identified local need for the stone which will conserve, maintain or enhance the fabric or character of the National Park.</p> <p>4. In all cases:</p> <p>a) all reasonable mitigation must be provided for in the proposal, in order to minimise environmental and socioeconomic impacts; and</p> <p>b) the proposal must be consistent with other relevant policies in this Local Plan.'</p>	<p>c) the impact upon the special qualities of the National Park; and d) strategic priorities for the National Park.</p> <p>2. The small scale expansion of existing quarries, or extension of time for minerals operations, will be permitted where it can be demonstrated that the socioeconomic benefits of the development outweigh any impact upon the National Park's Special Qualities.</p> <p>3. Small scale quarrying of traditional building stone will be permitted where it is demonstrated that there is an identified local need for the stone which will conserve, maintain or enhance the fabric or character of the National Park.</p> <p>4. In all cases:</p> <p>a) all reasonable mitigation must be provided for in the proposal, in order to minimise environmental and socioeconomic impacts; and</p> <p>b) the proposal must be consistent with other relevant policies in this Local Plan.'</p>
MM23	Section 6.3	Paragraph 6.3.5	'Small scale renewable energy development which meets the energy demands of a single property, business or local community can be achieved on Dartmoor without impacting on the National Park's Special Qualities.'	' Small scale r Renewable energy development which meets the energy demands of a single property, business or local community can be achieved on Dartmoor without impacting <u>is unlikely to have an impact</u> on the National Park's Special Qualities.'
MM24	Policy 6.6 (2)	1	'1. Small scale renewable energy development will be encouraged where it does not harm the National Park's Special Qualities, including:	'1. Small scale r Renewable energy development will be encouraged where it does not harm the National Park's Special Qualities, including:
			a) landscape character, taking into consideration the cumulative impact with other development;	a) landscape character, taking into consideration the cumulative impact with other development;

			<p>b) biodiversity, geodiversity, and heritage significance; c) tranquillity, dark night skies and residential amenity, taking into consideration noise, lighting, movement, odour and vibration; and</p> <p>d) air, soil and water quality.</p> <p>2. Small scale renewable energy development should not impact on flood risk or soil stability. Utility connections, such as cables and pipes, should be placed underground.</p> <p>3. Large scale renewable energy development will not be approved.'</p>	<p>b) biodiversity, geodiversity, and heritage significance; c) tranquillity, dark night skies and residential amenity, taking into consideration noise, lighting, movement, odour and vibration; and</p> <p>d) air, soil and water quality.</p> <p>2. Small scale Renewable energy development should not impact on flood risk or soil stability. Utility connections, such as cables and pipes, should be placed underground.</p> <p>3. Large scale Renewable energy development <u>that is Major Development, as defined in Strategic Policy 1.5, will not be approved other than in exceptional circumstances.</u>'</p>
MM25	Proposal 7.11 (2)		An area of land at Forder Farm is allocated for residential development of around 25 homes, of which not less than 45% must be affordable housing to meet identified local needs.	An area of land at Forder Farm is allocated for residential development of around 25 <u>30</u> homes, of which not less than 45% must be affordable housing to meet identified local needs.
MM26	Proposal 7.19(2)	2(b)	Provide a link to the Drake's Trail; and	Provide a link to the Drake's Trail <u>Princetown cycle trail</u> ; and
MM27	Proposal 7.19(2)	2(c)	Include delivery of appropriate highway improvements to access Plymouth Road	Include delivery of appropriate highway improvements to access Plymouth <u>Dousland</u> Road
MM28	Policy 7.20(2)		Special constraints will apply to development proposals within the original core of Yelverton	Special constraints will apply to development proposals within the original <u>this historic residential</u> core of Yelverton
MM29	Proposal 7.21(2)	(2a)	provide a level of employment which offsets the loss of employment space	provide a level of employment which offsets the loss of <u>the previous employment use space</u>