

COMMENT FORM

Final Draft Local Plan Consultation: 16 September – 1 November 2019

Your comments will help us and the Inspector to identify any issues with the Plan relating to soundness, legal compliance and compliance with the Duty to Cooperate, and any changes to the Plan which may therefore be needed prior to adoption. Please carefully read the [accompanying guidance](#) before answering the following questions.

Responses must be received by 5pm on Friday 1st November 2019 for your comments to be taken into account. View the Dartmoor Local Plan (2018-2036) Final Draft at www.dartmoor.gov.uk/localplanreview,

PART A - About You

Personal details

First name *	Richard									
Surname *	Bailey									
Address	[REDACTED]									
Post code	[REDACTED]									
Email address *	[REDACTED]									
I am completing this form as (choose one)	A resident		An agent	X	A Town / Parish Council		An organisation			
	A business		A visitor		A statutory agency		Other (specify below)			
Other										
Job title (where relevant)	Principal Planner									
Organisation (where relevant)	Bell Cornwell									
On behalf of (where relevant)	Peninsula Properties									
Did you submit comments on the Regulation 18 (First Draft) Local Plan?							Yes	X	No	

* Required field

Data Protection Act 2018

Your personal data will be securely held by Dartmoor National Park Authority for the purpose of assisting with the Local Plan Review process. To ensure an effective and fair examination, it is important that the Inspector and all other participants in the examination process are able to know who has commented on the plan. For the purposes of the examination, we will share your personal details and representation with the Inspector appointed, and publish your name and representations as part of a report on our website. For more information please refer to our [Forward Planning Privacy Notice](#).

Tick the box below if you would like to be added to our Local Plan consultee database and kept up to date with the Local Plan Review process and other planning policy matters.

☐ I would like to be added to the Local Plan consultee list

PART B - Your Comment

Please carefully read the [accompanying guidance](#) before answering the following questions.

Your comments should relate to specific areas of the plan, so please tell us the policy or paragraph number that your comment relates to. If there are areas which you believe not to be sound or legally compliant, please tell us why, and what changes you deem necessary, sharing any evidence you have to support your proposed changes.

If this is a report or any other document which cannot be shared via this form then you can email it to us at forwardplanning@dartmoor.gov.uk.

1. Please tell us which paragraph or policy your comment relates to

Paragraph (enter number, e.g. 4.5.1)	
Policy (enter number, e.g. 4.5)	Strategic policy 1.4 (2)
Policies Map	

2. Please carefully read the accompanying guidance and tell us if you consider the Local Plan to be:

	Yes	No
i) Legally compliant		
ii) Sound	X	
iii) Compliant with the Duty to co-operate		

3. Please tell us why you have answered **yes** and / or **no** to the question above.

Fully explain your reasoning and try to be as precise as possible.

In response to the previous consultation (December 2018) we expressed our support for this policy because it emphasised directing development to the Local Centres and set out a priority for maintaining and improving employment development where appropriate opportunities exist. The wording of point 1B of the policy has been amended within this version of the plan to elaborate on this point and provide further clarity, and now states:

"To maintain employment sites and give opportunities for new or improved employment sites where appropriate opportunities exist."

This change is considered to improve the policy therefore I confirm my client's continued support for the policy.

4. If you do not consider the Local Plan to be legally compliant or sound, please tell us what change(s) (or 'modifications') you consider necessary to make the Local Plan legally compliant and/or sound, and **why** these changes will make the Local Plan legally compliant and / or sound.

n/a

Please note: where changes to the Local Plan are proposed, your comments should provide concisely all the evidence and supporting information necessary to support your suggested changes. You may not have a further opportunity to submit this evidence.

5. If your representation seeks a change to the plan, do you consider it necessary to participate in examination hearing session(s)?

X	No, I do not wish to participate in hearing session(s)		Yes, I wish to participate in hearing session(s)
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6. If you answered **yes** to the hearing session(s), please tell us why you consider this to be necessary.

n/a

Thank you for sharing your comments on the final draft Local Plan for Dartmoor. If you have more comments to share, please complete parts C-F below.

Following this consultation, the final draft Plan along with all comments made will be submitted for examination by a Planning Inspector. The Inspector will consider whether the plan complies with the relevant legal requirements and whether it is sound (see guidance). Keep up to date on our progress by [signing up to our Local Plan consultee list](#), and following us on Twitter [@DartmoorPlan](#) and Facebook [/DartmoorPlan](#)

PART C - Additional Comment (1)

1. Please tell us which paragraph or policy your comment relates to

Paragraph (enter number, e.g. 4.5.1)	
Policy (enter number, e.g. 4.5)	Strategic policy 1.5 (2)
Policies Map	

2. Please carefully read the accompanying guidance and tell us if you consider the Local Plan to be:

	Yes	No
iv) Legally compliant		
v) Sound	X	
vi) Compliant with the Duty to co-operate		

3. Please tell us why you have answered **yes** and / or **no** to the question above.
Fully explain your reasoning and try to be as precise as possible.

In our previous representation to the draft local plan (December 2018) we set out how the policy needed amending to provide clarity on the circumstances in which major development within the national park could be acceptable. The policy has been amended in response to these comments and now includes criteria a) to d), which is reflective of the considerations set out in the NPPF. We therefore support the changes to policy that have been made and no longer object.

4. If you do not consider the Local Plan to be legally compliant or sound, please tell us what change(s) (or 'modifications') you consider necessary to make the Local Plan legally compliant and/or sound, and **why** these changes will make the Local Plan legally compliant and / or sound.

n/a

Please note: where changes to the Local Plan are proposed, your comments should provide concisely all the evidence and supporting information necessary to support your suggested changes. You may not have a further opportunity to submit this evidence.

5. If your representation seeks a change to the plan, do you consider it necessary to participate in examination hearing session(s)?

X	No, I do not wish to participate in hearing session(s)		Yes, I wish to participate in hearing session(s)
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6. If you answered **yes** to the hearing session(s), please tell us why you consider this to be necessary.

n/a

Thank you for sharing your comments on the final draft Local Plan for Dartmoor. If you have more comments to share, please complete parts C-F below.

PART D - Additional Comment (2)

1. Please tell us which paragraph or policy your comment relates to

Paragraph (enter number, e.g. 4.5.1)	
Policy (enter number, e.g. 4.5)	Strategic policy 5.1 (2)
Policies Map	

2. Please carefully read the accompanying guidance and tell us if you consider the Local Plan to be:

	Yes	No
i) Legally compliant		
ii) Sound	X	
iii) Compliant with the Duty to co-operate		

3. Please tell us why you have answered **yes** and / or **no** to the question above.
Fully explain your reasoning and try to be as precise as possible.

The policy is sound because it is sensibly drafted to provide a pragmatic approach to the development of business and tourism development at Local Centres. I therefore confirm our support for the policy as drafted.

4. If you do not consider the Local Plan to be legally compliant or sound, please tell us what change(s) (or 'modifications') you consider necessary to make the Local Plan legally compliant and/or sound, and **why** these changes will make the Local Plan legally compliant and / or sound.

n/a

Please note: where changes to the Local Plan are proposed, your comments should provide concisely all the evidence and supporting information necessary to support your suggested changes. You may not have a further opportunity to submit this evidence.

5. If your representation seeks a change to the plan, do you consider it necessary to participate in examination hearing session(s)?

X	No, I do not wish to participate in hearing session(s)		Yes, I wish to participate in hearing session(s)
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6. If you answered **yes** to the hearing session(s), please tell us why you consider this to be necessary.

n/a

PART E - Additional Comment (3)

1. Please tell us which paragraph or policy your comment relates to

Paragraph (enter number, e.g. 4.5.1)	
Policy (enter number, e.g. 4.5)	Strategic policy 5.2
Policies Map	

2. Please carefully read the accompanying guidance and tell us if you consider the Local Plan to be:

	Yes	No
i) Legally compliant		
ii) Sound		X
iii) Compliant with the Duty to co-operate		

3. Please tell us why you have answered **yes** and / or **no** to the question above.
Fully explain your reasoning and try to be as precise as possible.

We still object to the threshold set within part 1 of the policy for the same reasons set out in our comments submitted to the draft version of the plan in January 2019.

The threshold of 150 m2 referred to is not justified and therefore not appropriate. The reasoning for its use is set out in the NPA's economy topic paper (pages 43-44, paragraphs 6.4.1 to 6.4.11), however, from a review of this the justification is just not apparent.

The NPA has essentially taken the 150 m2 figure from Part R of the GPDO, which relates to the permitted change/conversion of agricultural buildings to commercial use. It is stated how the threshold used in the respect of this permitted change of use indicates the point at which the introduction of a commercial use in the countryside starts to have impacts that are material, therefore, it is appropriate to use this for a policy that relates to controlling development for main town centres uses in out of centre locations. It is further added that this size of development would account for a modest rural enterprise such as a farm shop or small scale office. It is considered that this reasoning is not sufficient to justify using this threshold in this context and to apply it across the board in respect of proposals for main town centre uses. This is because out of centre sites proposed for main town centre uses are not necessarily going to be similar to the conversion of an agricultural building in the open countryside. There is far more variety in the type of site and its location. The approach to setting the threshold taken by the NPA is too crude and therefore does not justify it.

As set out in our previous comments, an office development of 150 m2 is not large enough to warrant having to address the policy requirements set out in part 2 of the policy (criteria a to d). It is our commercial view that raising the threshold to 250 m2, potentially solely for office developments, would be appropriate and not stifle small scale employment developments at local centres coming forward. This would be in line with Strategic Policies 1.4 and 5.1, which encourage employment developments to come forward both within and adjacent to local centres.

Furthermore, paragraph 88 of the NPPF explicitly sets out how the sequential approach should not be applied to small scale rural offices. It is clear that an office development of no greater than 250 sq.m would still be small scale.

4. If you do not consider the Local Plan to be legally compliant or sound, please tell us what change(s) (or 'modifications') you consider necessary to make the Local Plan legally compliant and/or sound, and **why** these changes will make the Local Plan legally compliant and / or sound.

Amend wording of 1.b) as follows:

"Have a gross internal area (GIA) of over 250 m2 in respect of office (B1a) development or 150 m2 in respect of all other town centres uses."

Please note: where changes to the Local Plan are proposed, your comments should provide concisely all the evidence and supporting information necessary to support your suggested changes. You may not have a further opportunity to submit this evidence.

5. If your representation seeks a change to the plan, do you consider it necessary to participate in examination hearing session(s)?

<input type="checkbox"/>	No , I do not wish to participate in hearing session(s)	<input checked="" type="checkbox"/>	Yes , I wish to participate in hearing session(s)
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6. If you answered **yes** to the hearing session(s), please tell us why you consider this to be necessary.

To elaborate on the above comments should this be required by the Inspector.

If you require help, or would like to receive this form in an alternative format, please contact the Forward Planning team:

Forward Planning, Dartmoor National Park Authority Tel: 01626 832093
Parke, Bovey Tracey, Devon, TQ13 9JQ

Email: forwardplanning@dartmoor.gov.uk

Website: dartmoor.gov.uk/localplanreview