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Forward Planning  
Dartmoor National Park Authority  
Cheltenham  
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GL509SA

Date: 31 October 2019

Our Ref: LS M5/0106-12

**By email only:**  
[forwardplanning@dartmoor.gov.uk](mailto:forwardplanning@dartmoor.gov.uk)

Dear Sir/Madam

**RE: FINAL DRAFT DARTMOOR LOCAL PLAN REGULATION 19 CONSULTATION**

We represent the **South West Housing Association Planning Consortium** which includes all the leading Housing Association (HAs) across the South West. Our clients' principal concern is to optimise the provision of affordable housing through the preparation of consistent policies that help deliver the wider economic and social outcomes needed throughout the South West region.

**Affordable Housing Definitions and Evidence Base**

We are pleased to see that Dartmoor National Park has included the full definition for affordable housing as stated in Annex 2 of the NPPF within section 3.4 of the Plan. Due to its status as a National Park, in addition to the national definition, we recommend that the Council consider setting a locally specific definition of affordable housing, reflecting local relationships between house prices, rents and incomes to ensure proper targeting of affordable housing delivery.

It is important to include the national definition for affordable housing, not only as clarity for applicants, but as the definition for affordable housing included in the 2018 and 2019 revisions of the NPPF has widened the range of households whose needs will now be considered as requiring a form of affordable housing. As advised in our previous representations, we would like to reiterate that this necessitates an update to the Strategic Housing Market Needs Assessment (SHMNA). The Plymouth Area SHMNA 2013 and the Exeter Area SHMNA 2014/5 both predate the introduction of the 'new' definition for affordable housing in July 2018.

**Affordable Housing**

The significant unmet need for affordable housing means that the Council needs to continue to take a proactive approach to welcoming the delivery of affordable housing across the National Park area. Incorporating the wider definition of affordable tenures will be important in ensuring consistency with the revised Framework, and this must be done with the support of a new assessment of how these tenures will meet local housing needs, including any measures required to ensure that all needs are addressed.

Affordable housing policy should reflect the NPPF in encouraging a more diverse housing stock that assists a wider variety and number of local people in homes that they can afford, whilst enabling the delivery of sufficient numbers of housing to improve the ability of developers to deliver an appropriate and higher quantum of affordable housing. Housing policies must include an allowance for at least 10% of dwellings on major developments to be delivered as affordable home ownership, where this will meet local needs and deliver viable schemes.

Similarly, when drafting housing policy, it is important to consider the most effective wording that *encourages* and *enables* delivery of affordable housing, without placing unnecessary restrictions and additional hurdles to frustrate delivery. We encourage the Council to set an ambitious target for affordable housing as a mechanism to significantly increase delivery and improve affordability across the National Park area, provided the target is supported by a robust and up-to-date viability assessment.

### Community Land Trusts

We welcome that paragraphs 3.27 and 7.1.13 recognise the role the Community Land Trusts (CLTs) play in addressing a local housing need and fostering community ownership and participation in local housing schemes. A successful example in the National Park Authority is Chagford Community Land Trust at Bellacouch Meadows which has the support of the Aster group to deliver 22 affordable homes.

It is therefore hoped that the Dartmoor Local Plan can help facilitate the development of further CLT schemes in the future which will help deliver much need affordable homes.

### Nationally Described Space Standards

**Paragraph 3.4.8** indicates that affordable homes will be restricted to 93m<sup>2</sup> in size (gross internal floor area). Table 1 below outlines the minimum Nationally Described Space Standards (NDSS) set out in Government guidance. During the Local Plan Regulation 18 consultation in February 2019, we advised that the Council should remove this requirement as it restricts the variety of homes that Housing Associations are able to deliver.

**Table 1: Minimum gross internal floor areas and storage (m<sup>2</sup>)**

Number of bedrooms(b)	Number of bed spaces (persons)	1 storey dwellings	2 storey dwellings	3 storey dwellings	Built-in storage
1b	1p	39 (37) *			1.0
	2p	50	58		1.5
2b	3p	61	70		2.0
	4p	70	79		
3b	4p	74	84	90	2.5
	5p	86	93	99	
	6p	95	102	108	
4b	5p	90	97	103	3.0
	6p	99	106	112	
	7p	108	115	121	
	8p	117	124	130	
5b	6p	103	110	116	3.5
	7p	112	119	125	
	8p	121	128	134	
6b	7p	116	123	129	4.0
	8p	125	132	138	

**Source:** Technical housing standards – Nationally Described Space Standard (March 2015)

As illustrated by Table 1, setting a restriction of 93m<sup>2</sup> limits affordable homes to the minimum space standard expected by the Government for a three bed two storey, five person home. This consequently limits the range of house types and tenures Housing Associations can provide in the NPA by limiting the households in need for whom new dwellings can be built. As mentioned before in previous consultations, the Council has not provided clear reasoning or evidenced justification for seeking to impose such a restrictive limit and so we recommend again for this requirement be removed from the aforementioned paragraph and **Policy 3.6(2)**.

We are concerned that a blanket application of NDSS across all tenures will undermine the viability of development schemes and through viability testing of application proposals, will result in fewer affordable homes being delivered.

In order for the Council to implement the NDSS across all residential development, it must be demonstrated that it is being done to address a **clearly evidenced need**, as set out in the Planning Practice Guidance. We cannot see that the Council has published robust evidence to justify adopting the standards.

Should the Council decide, on the basis of clear evidence, that new density standards and the NDSS should be introduced locally, we ask that such policies be applied across all housing tenures to ensure Housing Associations can continue to deliver homes on an equal footing with other developers.

### **Strategic Policy 3.1 (2) Meeting Housing Need in Dartmoor National Park**

Our following comments on Strategic Policy 3.1(2) remain largely the same as our previous representation submitted for the Regulation 18 consultation for the Local Plan in February 2019.

As previously identified, point 1 of the policy indicates a requirement of 65 homes per annum across the National Park. As noted above, an update to the SHMA will need to be conducted to determine the full Objectively Assessed Need (OAN) for the Housing Market Area (HMA) in Dartmoor National Park. The Council should not commit to figures in policy without the support of a robust evidence base. This figure should be updated accordingly.

At point 3 the policy asserts:

*“Development on rural exception sites will only be approved where there is a current identified need for affordable housing demonstrated by an up-to-date housing needs assessment.”*

The requirement for an up-to-date Housing Needs Assessment in each instance provides an extremely restrictive policy basis and is likely to act as a barrier to developers, and in particular, Housing Associations bringing forward much-needed affordable housing. When drafting new policies, it is important to consider the most effective wording that *encourages* and *enables* delivery of affordable housing, without placing unnecessary restrictions and additional hurdles to frustrate delivery. We recommend the following amendments (new text is underlined):

*“Development on rural exception sites will only be approved where there is a current identified need for affordable housing demonstrated by an up-to-date housing needs assessment the most recently available Strategic Housing Market Assessment or any other up to date evidence of need.”*

Point 4 indicates various methods for identifying affordable housing need across different types of settlements. As with point 3, affordable housing need should be determined through the latest SHMA. We recommend the following amendments:

*“4. Affordable housing need should be identified through the most recently available Strategic Housing Market Assessment or other up to date evidence of need using the following approach: a) for development within a Local Centre, the housing need of the parish in which development is taking place and the adjoining parishes which are wholly or partly within the National Park; b) for development within a Rural Settlement, the housing need of the parish in which development is taking place and the adjoining rural parishes (i.e. excluding those which contain a Local Centre or larger settlement) which are wholly or partly within the National Park; or c) for development within Villages and Hamlets, the housing need of the parish in which development is taking place, and any adjoining parishes as may be agreed with the parish of provision.”*

At point 5 the policy asserts:

*“The size and tenure mix of the development should respond to the need identified, including the need for any specialist housing. In classified settlements, an up-to-date Housing Needs Assessment will be required.”*

Size and tenure mix of developments should be determined through the most recent and up-to-date SHMA available. We recommend that the policy be reworded to more flexibly respond to a range of evidence which can robustly justify development proposals that will meet need:

*“5. The size and tenure mix of the development should ~~respond to~~ reflect the need identified in the most recently available Strategic Housing Market Assessment or any other up to date evidence of need, including the need for any specialist housing. ~~In classified settlements, an up-to-date Housing Needs Assessment will be required. The need for smaller windfall developments in Local Centres may be evidenced by the Housing Register.~~”*

Point 6 of the policy states:

*“Section 106 legal agreements will include a cascade to ensure properties do not remain empty for an unreasonable period of time and a mortgagee in possession clause to ensure mortgageability.”*

Mortgagee in possession clauses should require reasonable endeavours only (and not best endeavours) to be made for a maximum period of three months to let or sell each property. As recognised by the Council at paragraph 3.1.10, longer periods and best endeavours clauses create unnecessary difficulties in obtaining a mortgage which given the significant need for affordable housing and the difficulties in delivering within the National Park should be avoided. The National Housing Federation model clause recommends the use of reasonable endeavours as this unlocks higher borrowing levels and in turn provides greater capacity for delivery of additional affordable housing.

Point 6 also indicates *“on rural exception sites in Villages and Hamlets, shared ownership housing will be restricted to 80% staircasing.”* This element of the policy directly conflicts with assertions made in paragraph 3.1.12 which states:

*“Normally, in a rural area, the owner would not be allowed to buy the whole property (or ‘staircase’ to 100%), however lenders are not currently supporting such restrictions. As such, in order to enable development to come forward, 100% staircasing will be allowed in Local Centres and Rural Settlements where this is supported by Homes England.”*

We recommend that point 6 should be amended to read as follows:

*“6. In all cases other development in the pipeline or recently completed, which may alter the level of need in the surrounding area, will be taken into account. The above geographical areas shall be used for allocating affordable housing and will be included in section 106 legal agreements. Priority may be varied through Local Lettings Plans. Section 106 legal agreements will include a cascade to ensure properties do not remain empty for an unreasonable period of time, and in any case up to a maximum of 3 months and a mortgagee in possession clause (using reasonable endeavours) to ensure mortgageability. ~~On rural exception sites in Villages and Hamlets, shared ownership housing will be restricted to 80% staircasing.~~”*

The above comments are intended to be constructive, to ensure the policies are found sound at examination. We would like to be consulted on further stages of the above document and other publications by the Council, by email only to [consultation@tetlow-king.co.uk](mailto:consultation@tetlow-king.co.uk); please ensure that the **South West Housing Association Planning Consortium** are retained on the consultation database, with **Tetlow King Planning** listed as its agents.

Yours faithfully

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**For and On Behalf Of**  
**TETLOW KING PLANNING**

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