

# Dartmoor National Park Authority

## Local Plan Review 2018 - 2036

### Full report on Regulation 19 representations (by section)

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**Respondent Number:** 0056

**Name:** Adam Hesse

**Organisation:** Coworth Homes

**On behalf of:** N Haley

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**Rep. Number:** 1

**Local Plan Section:** Paragraph/policy

**Is the Local Plan sound?:** No

**Is the Local Plan legally compliant?:** Yes

**Is the Local Plan compliant with the duty to co-operate?:** Yes

**Hearing session(s)?:** Yes, I wish to participate in hearing session(s)

**Why?** This is naturally a departure from what has been selected by the DNP and we feel it important to attend any hearing. We have spent in excess of £25,000 so far on reports and consultants and are taking this extremely seriously as genuinely can be on site next year assuming our site is selected against the other 2.

**Did respondent comment on Reg 18 Local Plan?:**

**Detail of representation:**

We have a fundamental objection to the Buckfastleigh Local Plan that we would like the Inspector's to consider. We believe the plan is not sound. The 2 'allocated' sites have not come forward in a decade showing they are undeliverable and unlikely to provide substantial affordable housing even if they did and the DNP have not taken into account reasonable alternatives. In fact both sites submitted weak applications in the last 12 months to ensure they remained on the shortlist for 'allocated sites' yet Holne Road offered no affordable housing when they know DNP require 45% which shows the mindset they have and you can ensure a viability argument will be trotted out if they were successful in being chosen. Both sites are steep with flooding issues and Holne Road isn't even abutting existing settlement and opens the door to development creep.....something the DNP are very anti for obvious reasons.

**Modifications necessary to make the Local Plan compliant:**

We have offered an alternate, more suitable site off Glebelands/Oaklands Road which would deliver 45% affordable housing; it would deliver circa 26 much needed homes in the town (waiting list currently 52) and would we believe deliver more affordable housing than the other 2 sites put together.... We met with Joanna Burgess of DNP on 29th January 2018 who told us to carry out the relevant ecological, highways, drainage and site surveys which we carried out over the summer (Bat surveys are March to October). We were then advised to carry out a public exhibition in Buckfastleigh Town Hall which was held on Tuesday 16th of December 2018 between 2.30 and 8pm. On the back of that exhibition we were motivated by the positive response from locals who obviously preferred our site albeit weren't keen on the likely increase in traffic off Silver Street which leads into the town from the Oaklands road entrance. Although Highways were happy with our proposed scheme we re-planned the site to ensure all traffic would enter the proposed development off Glebelands which is an adopted road and feeds better into the town. We submitted on 30th January 2019 to both Joanna Burgess and Dan Janota of the planning team at DNP a completed Comment Form and a Detailed Response Document with regards the draft local plan. We also attached a related Appendices Document covering the various reports carried out as requested by them. The trail went cold shortly after despite numerous attempts in the meantime to engage. To summarise we are ready to get on site immediately and to deliver much needed affordable homes to the community. If you review our detailed response document we are also delivering much needed over spill parking for

Glebelands, a children's play area and also a large tract of land that we propose making a public area for those living in the immediate vicinity.

**Authority response:**

DNPA believes the sites identified to be capable of delivering affordable housing to meet an identified affordable housing need. The level of development needed to meet the overall housing need identified for the National Park is achieved through the combined identification of sites in the Plan, and additional windfall or exception sites as may be needed. If sites do not deliver to meet the identified need in a specific area, and/or additional affordable homes are needed the Local Plan has appropriate scope for the delivery of this on exception sites, or through rolling Plan review.

**Authority proposed action:**

None proposed

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**Respondent Number:** 0218

**Name:** Sarah Vinetester

**Organisation:**

**On behalf of:**

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**Rep. Number:** 1

**Local Plan Section:** Paragraph/policy

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:**

**Detail of representation:**

We are in the midst of the beginning of climatic and ecological break-down, the result of which will lead to near term societal collapse. Please, through a citizens assembly, create a plan that is congruent with this, 4C is unlivable. Please read these documents [documents enclosed] Thank you

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

The Plan has been developed taking into consideration all available tools to improve our impacts on climate change and is balanced against other requirements such as development viability and affordable housing.

**Authority proposed action:**

None proposed

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**Respondent Number:** 0091

**Name:** Matthew Cuthbert

**Organisation:** Aggregate Industries UK Limited

**On behalf of:**

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**Rep. Number:** 5

**Local Plan Section:** 1 **Paragraph/policy** Strategy

**Is the Local Plan sound?:** Yes

**Is the Local Plan legally compliant?:** No

**Is the Local Plan compliant with the duty to co-operate?:** Yes

**Hearing session(s)?:** No, I do not wish to participate in hearing session(s)

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

OBJECTION - Chapter 1 "Vision and Spatial Strategy, first paragraph on Page 13 states "Major Development will not take place in the National Park other than in exceptional circumstances"

The wording should reflect Paragraph 172 of the National Planning Policy Framework 2019 (NPPF19) which uses the word "should", as in "Planning permission should be refused for major development other than in exceptional circumstances. This is so the Local Plan is consistent with the NPPF19 as per Paragraph 35 Point (d). This was previously highlighted during the First Draft consultation and remains within the Final Draft.

**Modifications necessary to make the Local Plan compliant:**

It is suggested that the wording of the first paragraph is amended to read "Major development should not take place in the National Park other than in exceptional circumstances"

**Authority response:**

The wording is considered consistent with the NPPF, 'should' in the NPPF allows local policy a degree of flexibility in the application of the policy and the possibility of introducing other criteria which could allow major development to occur in a National Park, other than the exceptional circumstances stated in NPPF para 172. DNPA have not decided to introduce any further flexibility and so the stronger wording is justified. This approach is consistent with other recently adopted National Park Local Plans, e.g. South Downs Core Policy SD3.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0002

**Name:** John Penny

**Organisation:** Devon Stone Federation

**On behalf of:**

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**Rep. Number:** 7

**Local Plan Section:** 1 **Paragraph/policy** Strategy

**Is the Local Plan sound?:** Yes

**Is the Local Plan legally compliant?:** No

**Is the Local Plan compliant with the duty to co-operate?:** Yes

**Hearing session(s)?:** Yes, I wish to participate in hearing session(s)

**Why?** to ensure the Plan is consistent with national policy

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

plan needs to be consistent with national policy

**Modifications necessary to make the Local Plan compliant:**

The paragraph states

"Major development will not take place in the National Park other than in exceptional circumstances".

The use of the word 'will' is not appropriate and does not reflect the definition given on page 9 under "Understanding the Local Plan".

The sentence about Major development is supposed to reflect para 172 of the NPPF 2018. This uses the word 'should', as in "Planning permission should be refused for major development other than in exceptional circumstances".

Therefore, the sentence in the Local Plan should be changed to:

"Major development should not take place in the National Park other than in exceptional circumstances".

We suggest that the use of the word 'will' is reviewed elsewhere in the Draft Local Plan.

**Authority response:**

The wording is considered consistent with the NPPF, 'should' in the NPPF allows local policy a degree of flexibility in the application of the policy and the possibility of introducing other criteria which could allow major development to occur in a National Park, other than the exceptional circumstances stated in NPPF para 172. DNPA have not decided to introduce any further flexibility and so the stronger wording is justified. This approach is consistent with other recently adopted National Park Local Plans, e.g. South Downs Core Policy SD3.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0026

**Name:** Paul Cottington

**Organisation:** National Farmers' Union

**On behalf of:**

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**Rep. Number:** 2

**Local Plan Section:** 1.1

**Paragraph/policy** 1.1

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

Special qualities – we agree with the special qualities but given that the landscape is special because of the way it is managed then we would like to see this at the top of the list. Context matters and this approach will help to ensure that the priorities and focus of delivery are correct.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

The special qualities are not presented in priority order, each as important a contribution as the other in making Dartmoor a special place.

**Authority proposed action:**

None proposed

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**Respondent Number:** 0058

**Name:** Marcus Salmon

**Organisation:** Environment Agency

**On behalf of:**

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**Rep. Number:** 2

**Local Plan Section:** 1.1 **Paragraph/policy**

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

The role the Moor plays in providing clean water and as the headwaters for most of Devon's rivers is acknowledged in the 'special qualities' (paragraph 1.1.8). It is essential that these special qualities are protected and enhanced by working with natural processes. This is especially important in light of the expected impacts of climate change. New development on and around the Moor can contribute to the delivery of natural flood management and other works which they and existing development can benefit from.

In addition the commitment to minimising/mitigating contributions to climate change must be matched in the vision by a commitment to adapting to it. Regardless of how well society meets the challenge of reducing greenhouse gas emissions a certain degree of climate change is now unavoidable and it is essential that development, communities and the natural environment upon which it all depends can adapt and be resilient into the future.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

The Special Qualities are taken from the Management Plan and are subject to a separate consultation exercise, the Local Plan has not revisited this work and treated the existing qualities as robust. These Representations can be considered as part of the current Management Plan review.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0132

**Name:** Bas PAYNE

**Organisation:** Moretonhampstead Parish Council

**On behalf of:**

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**Rep. Number:** 2

**Local Plan Section:** 1.1 **Paragraph/policy** Policy 1.1 (2)

**Is the Local Plan sound?:** No

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**No

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

Policy slightly reworded but essentially unchanged [from Reg 18 comment].

It is desirable that the Statutory Duty to foster the economic and social wellbeing of the local communities within the National Park is added to Para 1 in order to give this greater weight.

It is desirable that a sentence is added to this Policy or to Policy 1.3 to make it explicit that delivering the National Park purposes must be given greater weight than any presumption in favour of sustainable development.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

The Duty is upon the National Park Authority and must be applied in a way which is consistent with the Act. The purposes are for the National Park. It is therefore appropriate to describe the duty as secondary and separate to the purposes, and this assists understanding.

National Park purposes help inform how the presumption in favour of sustainable development is applied in the National Park. The purposes do not directly compete with the presumption in favour of sustainable development and one cannot undermine the other.

**Authority proposed action:**

None proposed



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**Respondent Number:** 0131

**Name:** Hazel Jones

**Organisation:**

**On behalf of:**

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**Rep. Number:** 2

**Local Plan Section:** 1.1

**Paragraph/policy** Policy 1.1(2)

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

p14 Strategic policy 1.1(2) 'Special qualities' needs to be embedded in the policy not just the heading.

p15 1.1.8 Should include importance for health and wellbeing.

p16 1.1.8 Dark night(-time) skies should be a stand-alone 'special quality'

Final bullet point – add 'learning'

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

The special qualities is a defined term used throughout the Local Plan, they are not a policy in themselves.

The Special Qualities are defined by the Management Plan through consultation and the Local Plan has not sought to redefine them through the Local Plan process.

**Authority proposed action:**

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**Respondent Number:** 0005

**Name:** Barry Wilson

**Organisation:** E&JW Glendinning Ltd

**On behalf of:**

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**Rep. Number:** 3

**Local Plan Section:** 1.1 **Paragraph/policy** Strategic Policy 1.1 (1), Strategic Policy 1.2 (1

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

We are pleased to see that these policies have been reworded from the version in the Reg 18 version of the plan.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0005

**Name:** Barry Wilson

**Organisation:** E&JW Glendinning Ltd

**On behalf of:**

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**Rep. Number:** 2

**Local Plan Section:** 1.1

**Paragraph/policy** 1.1.4

**Is the Local Plan sound?:**

No

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:** Yes

**Why?** This is an important point and should be carefully considered by the National Park Authority before the Examination, and if no change is made then we wish that it is carefully considered by the Inspector at the Examination.

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

It is not appropriate to state that the statutory duty is described as 'secondary' to the National Park purposes. The statutory duty stands alongside the purposes.  
No other National Park Authority has stated that the duty is secondary to the national park purposes, and Dartmoor National Park Authority should not do so either.

**Modifications necessary to make the Local Plan compliant:**

Para 1.1.4 should be omitted in its entirety.

This will remove the incorrect and confusing reference to a hierarchy of purposes v statutory duty. The wording of the duty "in pursuing the purposes, to seek to foster the economic and social well-being of local communities within the National Park by working closely with the agencies and local authorities responsible for these matters" is a clarification of the way in which the purposes should be pursued, not a secondary action for the Dartmoor National Park Authority to consider separately or after it has applied the National Park purposes.

See box above for reasons why this change will make the plan sound.

**Authority response:**

DNPA do not agree with this interpretation. The purposes are the reasons for which National Parks have been designated. The socio-economic duty is put upon the Authority to undertake whilst pursuing National Park purposes.

The duty is only therefore pursued where there is compliance with the purposes. It is inherently therefore secondary to the purposes. The purposes form the primary and principal reason for the designation of National Parks. The duty does not, and must always be carried out in compliance with the purposes.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0002

**Name:** John Penny

**Organisation:** Devon Stone Federation

**On behalf of:**

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**Rep. Number:** 6

**Local Plan Section:** 1.1 **Paragraph/policy** Policy 1.1 (2)

**Is the Local Plan sound?:** Yes

**Is the Local Plan legally compliant?:** No

**Is the Local Plan compliant with the duty to co-operate?:** Yes

**Hearing session(s)?:** No, I do not wish to participate in hearing session(s)

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

plan needs to be consistent with national policy

**Modifications necessary to make the Local Plan compliant:**

section 1 of the policy links the two purposes with "and" which requires compliance with both. However section 2 of the policy refers to when there is a conflict between the two purposes, which section 1, as currently worded does not allow.

Suggest replacing "and" with "and/or"

**Authority response:**

DNPA do not agree with this interpretation and believe the policy is sound as written. In summary: development that complies with both purposes will be permitted. Where there is conflict, the first purpose will be prioritised.

Although always preferable, the policy does not state all development must comply with both purposes. Indeed the purposes aren't directly used in decision making, but are reflected through the the more detailed policies in the Local Plan.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0058

**Name:** Marcus Salmon

**Organisation:** Environment Agency

**On behalf of:**

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**Rep. Number:** 1

**Local Plan Section:** 1.2 **Paragraph/policy**

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

Section 1 – Vision, Spatial Strategy and Planning Applications

We consider it essential that the 'Vision for Dartmoor National Park' is broadened to reflect the important role the Moor plays in water management and the need for development, communities and the natural environment to be resilient and adapted to climate change.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

The absence of resilience and adaptation to the climate change section is noted and a Modification is proposed.

**Authority proposed action:**

A modification is proposed to section 1.2.

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**Respondent Number:** 0048

**Name:** Andy Stokes

**Organisation:** Buckfastleigh Town Council

**On behalf of:**

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**Rep. Number:** 6

**Local Plan Section:** 1.2

**Paragraph/policy** Policy 1.2 (2)

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

Sustainability

This is an abused term. 'Sustainable Development' is at the heart of the 'National Planning Policy Framework' and we would expect the National Park to act as trailblazers and lead the way in this sensitive geographical area where it has the ability to restrain irresponsible development.

The Sustainable Development Commission States that Sustainable Development is about "...Living within our environmental limits...", "reducing climate change" and "about ensuring a strong, healthy and just society...." which "...meets the diverse needs of all people in existing and future communities, promoting personal well-being, social cohesion and inclusion, and creating equal opportunity". We would like to see that really taken seriously and for proposals to deliver real change if we are going to have any hope at all of coming anywhere near our national emission targets and building a more just society. Developments that simply pay lip service to this should not be acceptable.

Strategic policy 1.2 g) (p19) says development must ... "conserve the quality and quantity of natural resources, including water, air, soils, geodiversity and biodiversity". We wonder what happened to the earlier commitment (p14) to "...conserve and enhance the natural beauty, wildlife and cultural heritage of area"? We would like to see the commitment to enhancement 'conserved' throughout the plan. Strategic policy 1.2 l) (p19) states development should "provide essential services and infrastructure, and promote and enable travel by public transport, cycle or foot". Unfortunately, against a background of ongoing cuts to public transport in the area and path infrastructure funding, promoting sustainable travel is not enough and developments that might have hitherto been considered sustainable in this regard may no longer satisfy this criteria.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

Aspiring to achieve sustainable development is the fundamental aim of the Local Plan and we have sought to push standards and requirement where local planning authorities are able and within the constraints of national policy and viability.

**Authority proposed action:**

None proposed.



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**Respondent Number:** 0026

**Name:** Paul Cottington

**Organisation:** National Farmers' Union

**On behalf of:**

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**Rep. Number:** 3

**Local Plan Section:** 1.2 **Paragraph/policy**

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

The vision – we agree with the key aspects of the vision but would like to see the section on farming mention the production of food. The food grown on Dartmoor is high value and is the cornerstone of the special qualities of the area. It is also a large part of the pride of the farmers on the moor and this should not be discounted.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

The planning system does not directly control agriculture or have significant influence over how it is carried out. Agriculture and food production should not therefore form part of the vision. Doing so would contribute to the common misunderstanding that planning can control farming and forestry systems and influence vegetation cover in these sectors.

**Authority proposed action:**

None proposed.



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**Respondent Number:** 0206

**Name:** Des Dunlop

**Organisation:** D2 Planning Limited

**On behalf of:** Pearce Fine Homes

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**Rep. Number:** 1

**Local Plan Section:** 1.2 **Paragraph/policy** Policy 1.2 (2)

**Is the Local Plan sound?:** No

**Is the Local Plan legally compliant?:** No

**Is the Local Plan compliant with the duty to co-operate?:**No

**Hearing session(s):** Yes

**Why?** Issues raised need to be the subject of discussion and debate

**Did respondent comment on Reg 18 Local Plan?:** No

**Detail of representation:**

Support is given in principle to the objective to provide access to well designed and affordable housing within Dartmoor. However, it is imperative that sufficient sustainable and deliverable sites are identified that can contribute to meeting this objective.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0206

**Name:** Des Dunlop

**Organisation:** D2 Planning Limited

**On behalf of:** Pearce Fine Homes

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**Rep. Number:** 2

**Local Plan Section:** 1.2 **Paragraph/policy** Policy 1.2 (2)

**Is the Local Plan sound?:** No

**Is the Local Plan legally compliant?:** No

**Is the Local Plan compliant with the duty to co-operate?:**No

**Hearing session(s)?:** Yes

**Why?** Issues raised need to be the subject of discussion and debate

**Did respondent comment on Reg 18 Local Plan?:** No

**Detail of representation:**

There is no reference to the use of sustainable greenfield sites within this policy. Whilst reference is given to prioritising greenfield sites, there is a reluctance to recognising the fact that brownfield sites on their own may not meet the housing needs in the National Park.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

The policy states previously developed land and buildings will be prioritised. Allocation of greenfield sites indicates the Local Plan strategy requires greenfield sites to deliver its strategy.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0011

**Name:** Amy Roberts

**Organisation:** Bell Cornwell

**On behalf of:** FMB Projects Ltd

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**Rep. Number:** 1

**Local Plan Section:** 1.3

**Paragraph/policy** Policy 1.2 (2)

**Is the Local Plan sound?:** Yes

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

Introduction and Background

The following representations are made on behalf of FMB Projects Ltd (FMB), being the owner of a substantial part of Gidley's Meadow Business Park (Gidley's Meadow) in Christow. FMB is in contract to acquire the remainder of the business park from Stephen Clark who has developed Gidley's Meadow over the past 30 years.

Gidley's Meadow is a small business park located on the eastern side of the village, on the opposite side of the road to the community hall and grounds. The park consists of eight buildings, divided into 12 letting units and occupied by local businesses including Black Tor Brewery, Sweet Sensations, C P Sheds and Green Ecology (an environmental consultancy business). Our client also has an office on the business park.

FMB is a small private company owned by Mr and Mrs David Gunn – a couple with strong local connections, having lived in Christow for 20 years and now living in a neighbouring village. They have a vision to gradually improve and future-proof the site by maintaining and improving the buildings and associated infrastructure and by diversifying the range of uses that can occupy the existing buildings (there are no plans to expand the site). This would provide additional services and facilities for the village, which would complement the existing uses, at a time when community facilities are decreasing in number and development opportunities are limited.

It is considered that including Gidley's Meadow Business Park within the settlement boundary for Christow and supporting a wider range of complementary uses at the Park would align with the Authority's strategic objectives for Dartmoor to make settlements more sustainable and self-sufficient and help the Authority to meet its overarching duty to foster the economic and social well-being of the local communities within the National Park.

Strategic Policy 1.2(2) Sustainable Development in Dartmoor National Park

This draft policy explains that all development in Dartmoor National Park must be sustainable. This means that development must, for example, take place where it minimises the need to travel, make efficient use of land and infrastructure, in particular by prioritising the use of previously developed land and buildings, and support the economic vitality of the National Park.

Observations on Draft Policy

Our client remains supportive of the overall strategy for development to meet the needs of Dartmoor's communities and maximise the use of brownfield land and existing buildings and is generally supportive of Strategic Policy 1.2(1), particularly criteria b, d and m relating to: • minimising the need to travel, • prioritising the use of previously developed land and buildings, and • supporting the economic vitality of the National Park.

In order for the Local Plan to be sound it must be positively prepared i.e. the subsequent strategic and development management policies within the Plan for different development types and Dartmoor's towns and villages must be flexible enough to enable the strategic policies and overall objectives to be met and not unduly prevent sustainable development (which has regard to the National Park's duty to seek to

foster the economic and social well-being of the local communities) from taking place.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0132

**Name:** Bas PAYNE

**Organisation:** Moretonhampstead Parish Council

**On behalf of:**

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**Rep. Number:** 3

**Local Plan Section:** 1.3

**Paragraph/policy** Policy 1.3 (2)

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

This policy is unsound as it stands, as it fails to recognise that adoption of the general presumption in favour of sustainable development is likely to create conflicts with the reasons for setting up the National Park and the DNPA's Statutory Duties. It is important that this is recognised and that either Policy 1.1 or Policy 1.3 should say that the Statutory Duties should have greater weight than the general presumption.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

National Park purposes help inform how the presumption in favour of sustainable development is applied in the National Park. The purposes do not directly compete with the presumption in favour of sustainable development and one cannot undermine the other.

**Authority proposed action:**

None proposed

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**Respondent Number:** 0048

**Name:** Andy Stokes

**Organisation:** Buckfastleigh Town Council

**On behalf of:**

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**Rep. Number:** 3

**Local Plan Section:** 1.3 **Paragraph/policy**

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

1.3 (p18) talks about sustainability as ‘...meeting human development goals whilst sustaining the natural resources and ecosystems upon which our well-being, society and economy depend.’ This anthropocentric statement which emphasises the needs of humans as the only measure for sustainability should be extended to include the needs of the natural world for the preservation and sustainment of all life (is there no room for preserving biodiversity that we don’t actually need?).

Buckfastleigh Town Council would, for instance, wholeheartedly support the reintroduction of beavers in the Mardle valley, which would in turn produce an expansion of wet woodlands that would not only increase and enhance the fish populations but also allow many other species to flourish, as well as acting as a flood buffer zone to slow down the speed of rainwater that rushes into the river with heavy rainfall and thus decrease the risks of flooding within the town.

We would also support the reduction of light pollution in the National Park and support the current move to encourage DNPA to attain an ‘International Dark Sky Reserve’ status.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

Whilst the widely adopted definition of sustainable development is centred on human needs, there are many policies in the Local Plan which are not. For example, the protection of biodiversity in policy 2.2 (2) is a general protection of priority habitats and species without evidence that each is directly beneficial to humans.

Again, the Local Plan only controls development and cannot control the use of land for farming or forestry, or general land management practices which may impact upon ecosystems and biodiversity.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0049

**Name:** Mike Deaton

**Organisation:** Devon County Council

**On behalf of:**

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**Rep. Number:** 2

**Local Plan Section:** 1.3

**Paragraph/policy** Policy 1.2(2)

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

Point 1.g) refers to conserving the quality and quantity of natural resources. In some cases, there will also be a need to make efficient use of such resources, e.g. minerals. The plan would be improved by adding a new point to address this e.g.: 'will ensure the efficient use of natural resources'

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

The point is noted, but DNPA believes that in (d) and in (g) which notes 'quantity' the use of resources is appropriately referenced.

**Authority proposed action:**

None proposed

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**Respondent Number:** 0026

**Name:** Paul Cottington

**Organisation:** National Farmers' Union

**On behalf of:**

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**Rep. Number:** 4

**Local Plan Section:** 1.3 **Paragraph/policy** Strategic Policy 1.2 (2)

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

Strategic Policy 1.2 b) It is perhaps obvious to note that farm developments by their nature will be such that they are away from services and as such the occupants will need to travel. In addition tourist enterprises will be in the same situation. d) The development and reuse of existing buildings on a farm is a high priority and must be addressed through planning policy. Current Permitted Development Rights do not apply on national parks and this creates a severe disadvantage for farmers.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

This is noted. Development on farms is addressed through detailed planning policies in the plan. For sustainability reasons it is right for the local plan to focus most development in areas which help reduce people's need to travel.

**Authority proposed action:**

None proposed.



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**Respondent Number:** 0058

**Name:** Marcus Salmon

**Organisation:** Environment Agency

**On behalf of:**

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**Rep. Number:** 3

**Local Plan Section:** 1.3

**Paragraph/policy** Policy 1.2 (2)

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

In Figure 1.2 (goal 7) and Policy 1.2 (part h) we recommend the wording 'avoid impact on flood risk' is altered to read 'avoid adverse impact on flood risk' or 'reduce flood risk'. As illustrated in comments above, development within (and around) Dartmoor should be seeking to provide a net betterment to flood risk for existing dwellings and businesses through sustainable means such as natural flood management (NFM).

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

Modifications to Figure 1.2 and Policy 1.2 part h proposed in accordance with comment. Unfortunately there is currently no national policy support to require net betterment in flood risk through development.

**Authority proposed action:**

Modifications to Figure 1.2 and Policy 1.2 part h proposed.

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**Respondent Number:** 0048

**Name:** Andy Stokes

**Organisation:** Buckfastleigh Town Council

**On behalf of:**

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**Rep. Number:** 7

**Local Plan Section:** 1.3

**Paragraph/policy** Policy 1.3 (2)

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

Strategic policy 1.3 (p19). The Presumption in Favour of sustainable development (from the National Planning Policy Framework NPPF) runs counter to elsewhere in the NPPF where it clearly states that the default position for planning permission for any Major Development (over 10 houses) should be refused unless exceptional circumstances can be proved. The burden of proof is therefore on a prospective developer to prove this exceptional circumstance, otherwise they need to find an alternative location.

We think that the Plan should state that sustainable development will be expected and therefore developments that demonstrate significant measures to implement sustainability will be given preference.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

The definition of Major Development for the purposes of policy 1.5 (2) is not the statutory definition (e.g. 10 houses or more).

The Local Plan sets out the requirements for sustainability, within the national policy framework, so it is clear what is required from development from the outset. This is preferable than giving priority to more sustainable proposals than less and gives developerse certainty of progressing proposals that will gain consent.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0195

**Name:** Peter Crone

**Organisation:** South Dartmoor Community Energy Limited

**On behalf of:**

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**Rep. Number:** 4

**Local Plan Section:** 1.3 **Paragraph/policy**

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** No

**Detail of representation:**

7. Sustainability 7.1 The word 'sustainable' appears 99 times in the draft plan and paragraph 1.3.1 outlines the customary test "Sustainable development is defined as meeting the needs of the present without compromising the ability of future generations to meet their own needs." SDCE can also help with the citation (which is missing from the draft plan) for this test. It comes from the Brundtland Report – Our Common Future; 1987. 7.2 However we know a great deal more now than we knew in 1987 when the IPCC had not yet been established. And knowing what we now know it is hard to see how the development plan, as currently drafted, would meet the sustainability test. 7.3 SDCE fails to understand how policies that deny access to the largest renewable energy resource in the south of England cannot be said to compromise the ability of future generations to meet their own needs, when, as we have demonstrated above, Devon will not achieve carbon neutrality without it. 7.4 DNPA goes on to expand on the definition in terms of defining sustainable development in Strategic Policy 1.2(2) Sustainable development in Dartmoor National Park. SDCE endorses this policy in general with the exception of clauses 1. a) and 1. j). 7.5 SDCE cannot endorse clause 1. a) because, as we have explained in previous sections of this response, we do not consider the Second Purpose of the National Park to be sustainable when it refers to special qualities when we know that preserving the open moorland tops the list of special qualities. 7.6 Policy 1.2(2) 1. a) is not sustainable development. In fact it is quite the opposite. It is effectively the prevention of sustainable development. It will prevent a huge potential carbon sink and source of carbon offsetting from being available to contribute to mitigating the Climate Emergency. 7.7 It will also prevent the same area of the park from increasing its biodiversity and contributing to mitigating the Extinction Crisis. 7.8 On balance we can support the First Purpose of the National Park, although we may have a difference of opinion as to what constitutes natural beauty. 7.9 For similar reasons we would not be prepared to endorse 1. j) which again refers to character and quality. We believe the prevailing character and quality need to change, or perhaps revert would be more appropriate, to the character and quality of the truly natural ecosystem for this area. 7.10 SDCE's vision for the monumental task of achieving a carbon neutral society is that it should be community led by not-for-profit organisations that reinvest any monetary gains from developing renewable or energy storage projects back into the effort to decarbonise and alleviate poverty within the wider local community. 7.11 There are 23 local community energy organisations in Devon of which SDCE is one. These organisations are in the process of incorporating Devon Energy Collective (DEC). DEC is a special purpose community interest company (CIC) wholly owned by its members, the not-forprofit local community energy companies.

7.12 The purpose of DEC is to raise finance and develop projects that are beyond the reach of the smaller local companies. Like its members DEC is also a not-for-profit company, so any profits resulting from its activity will not leave the local area but will be reinvested locally. 7.13 Projects like the development of the RE potential of Dartmoor and ploughing any profits back into retrofitting the housing stock, carbon sequestration, biodiversity and alleviating fuel poverty in the wider Dartmoor area is precisely what the founders had in mind when they initiated the formation of DEC in 2018. 7.14 We believe that, if this vision comes to pass, it would deserve the accolade that: "Dartmoor is an exemplar of

carbon reduction and climate change adaptation through carbon storage, energy efficiency, decarbonising products, and the production of renewable energy and heat.” It would be an initiative that could be repeated in other parts of the county and would undoubtedly encourage other communities beyond Devon follow the example. 7.15 This is surely the model for sustainable development in the 21st Century.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

The definition of sustainable development is inherent within the NPPF which the Local Plan is required to be consistent with. The purposes of the National Park are statutory and the Authority are therefore legally obliged to pursue them.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0007

**Name:** Sue Green

**Organisation:** Home Builders Federation

**On behalf of:**

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**Rep. Number:** 4

**Local Plan Section:** 1.3

**Paragraph/policy** Policy 1.2 (2)

**Is the Local Plan sound?:** No

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**No

**Hearing session(s)?:** Yes, I wish to participate in hearing session(s)

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

It is noted that Bullet Point (d) of this policy proposes to “make efficient use of land and infrastructure in particular by prioritising the use of Previously Developed Land (PDL) and buildings”. The 2019 NPPF promotes an effective use of land in meeting the need for housing and other uses in a way that makes as much use as possible of PDL (para 117) however the 2019 NPPF does not refer to prioritising. The dictionary definition of prioritise means to rank in order of preference suggesting a brownfield first approach which is not set out in the 2019 NPPF. It is noted that on page 13 of the Local Plan the text wording refers to “maximising use of brownfield land and existing buildings” rather than prioritising. The wording of Bullet Point (d) should be changed from “prioritising” to “maximising” to be consistent with the Strategy set out in the Local Plan and national policy.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

Prioritising use of brownfield land is correct. This is a robust approach for a designated landscape and many policies in the plan seek for the use of existing or historic buildings prior to the construction of new buildings, e.g. policy 5.1, 5.5 and 5.6. This is a sustainable development practice in a designated landscape and it is rightly reflected in the sustainable development criteria in policy 1.2 (2).

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0007

**Name:** Sue Green

**Organisation:** Home Builders Federation

**On behalf of:**

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**Rep. Number:** 5

**Local Plan Section:** 1.3

**Paragraph/policy** Policy 1.3 (2)

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**No

**Hearing session(s)?:** Yes, I wish to participate in hearing session(s)

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

Strategic Policy 1.3(2) sets out the presumption in favour of sustainable development which is not necessary for plan soundness. The presumption in favour of sustainable development is clearly set out in the 2019 NPPF (para 11). The 2019 NPPF confirms that Local Plans should avoid unnecessary duplication including repetition of policies in the NPPF itself (para 16f). As set out in the NPPG (ID 61-036-20190723) there is no need to directly replicate the wording of the 2019 NPPF (para 11) in a policy in a Local Plan. By attempting to repeat national policy there is a danger that some inconsistencies creep in and lead to small but critical differences between national and local policy causing difficulties in interpretation and relative weighting. Strategic Policy 1.3(2) should be deleted.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

Clarifying how the presumption is applied in this plan assists clarity and understanding. The policy wording is consistent with the NPPF.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0130

**Name:** Emma James

**Organisation:** Okehampton Town Council

**On behalf of:**

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**Rep. Number:** 13

**Local Plan Section:** 1.3

**Paragraph/policy**

**Is the Local Plan sound?:** Yes

**Is the Local Plan legally compliant?:** No

**Is the Local Plan compliant with the duty to co-operate?:** Yes

**Hearing session(s)?:** No, I do not wish to participate in hearing session(s)

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

The council supports the point for sustainable transport. Needs to encourage transition from road to rail. Rail transport enables international transport access to DNP. The box 11 promotes sustainable transport showing a bicycle. both train and bus should be also shown as sustainable modes of transport.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

The icon is indicative and considered suitable for this purpose.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0165

**Name:** Stephen Sterling

**Organisation:** Ashburton Climate Emergency (ACE)

**On behalf of:**

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**Rep. Number:** 1

**Local Plan Section:** 1.3

**Paragraph/policy** Policy 1.2 (2)

**Is the Local Plan sound?:** Yes

**Is the Local Plan legally compliant?:** Yes

**Is the Local Plan compliant with the duty to co-operate?:**No

**Hearing session(s)?:** No, I do not wish to participate in hearing session(s)

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** No

**Detail of representation:**

Whilst the answers above are 'yes' we note that 'sound' is a matter of judgement and in our view the Plan is less robust than it should be with regard to the following:

i) line b) mentions 'minimises our impact on climate change'. This phrase is used extensively throughout the Plan but is hardly elaborated. So – to what degree under any particular policy is it intended to minimise impact, are there targets, for example? In practice, the minimisation and mitigation might be slight unless more detail is given on how it is to be actioned.

ii) line c) mentions 'respond to climate change through community resilience and adaptation', but we find through the Plan that there is barely any mention of 'resilience' (save a small inclusion in relation to biodiversity), or 'adaptation' even in relation to flood management. There is no acknowledgement of the strong likelihood of extreme weather events, and virtually no coverage or elaboration given to adaptation as a key principle and strategy in tackling climate change (unlike in Devon County Council's Climate Change Strategy). It is not clear how community resilience will be encouraged or supported, or what this term means to DNPA.

**Modifications necessary to make the Local Plan compliant:**

Given scientific evidence that climate change appears to be accelerating, we feel that the Plan as a whole does not acknowledge sufficiently this overriding context - which will affect landscapes, wildlife, infrastructure, construction and communities adversely in the long time frame of the Plan and beyond. In other words, there is a degree of mismatch between the well- intentioned sustainable development policies outlined in the Plan, and the pressing realities and prognoses of what is widely acknowledged as the 'climate crisis'.

This acknowledgment includes of course DNPA's 'Climate Emergency Declaration' of 26 July 19, which states in para 4.1 that 'the Authority has a role to play in leading initiatives within the National Park aimed at mitigating climate change and/or adapting to it.' So we recommend that the Plan is reconsidered in the light of DNPA's Declaration (which emerged after the draft Plan was completed), that it is strengthened wherever possible to better reflect this new emphasis and the real threats that climate change presents. Put alternatively, it needs to be anticipative with regard to the projected effects of climate change that the scientific community predicts. Ensuring consistency and congruence between these two key DNPA policy documents will help ensure that both are sound and mutually complementary.

We consider that you might find the Exmoor Park Plan 2011-31 a helpful example - being more coherent and articulate on climate change, its likely effects on the moor and as regards the Plan's presentation of mitigation and adaptation policies [https://www.exmoor-nationalpark.gov.uk/\\_\\_data/assets/pdf\\_file/0011/1493498/Local-Plan-2011-2031-for-web.pdf](https://www.exmoor-nationalpark.gov.uk/__data/assets/pdf_file/0011/1493498/Local-Plan-2011-2031-for-web.pdf)

**Authority response:**



The Local Plan seeks to minimise impact on climate as far as it reasonably can within the constraints of national policy. Targets are introduced where LPAs are able to require them and deliver them. Nurturing community resilience through the planning system is considered to be integrated with Local Plan's approach to meeting affordable housing needs and also providing opportunities for the delivery of community infrastructure which can include climate adaptation measures (see policy 3.3 (2)).

**Authority proposed action:**

None proposed

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**Respondent Number:** 0130

**Name:** Emma James

**Organisation:** Okehampton Town Council

**On behalf of:**

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**Rep. Number:** 12

**Local Plan Section:** 1.3 **Paragraph/policy** Strategic Policy 1.2 (2)

**Is the Local Plan sound?:** Yes

**Is the Local Plan legally compliant?:** No

**Is the Local Plan compliant with the duty to co-operate?:** Yes

**Hearing session(s)?:** No, I do not wish to participate in hearing session(s)

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

Point 1. C The council feel that this should be more specific. Sustainable transport should be added including rail and bus infrastructure. Allowing direct access to DNP.

Point 1. L It was noted that only travel by public transport, cycle or foot was mentioned. Rail transportation was not included.

1 - The council wishes a statement of sustainable transport to be included. No mention in the Strategic Policy 1.3

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

Rail transport is considered to be public transport. Point 1 i) of policy 1.3 (2) is considered address this representation.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0131

**Name:** Hazel Jones

**Organisation:**

**On behalf of:**

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**Rep. Number:** 3

**Local Plan Section:** 1.3

**Paragraph/policy** Policy 1.2 (2)

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

p18 Text should mention benefits of energy efficiency especially relating to Goal 8 in figure 1.2

p19 Strategic policy 1.2 (2) g) add dark night skies. Policies 1 & 2 have to be integrated as Policy 1 will not be effective unless Policy 1.2 is strengthened.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

Reducing energy use and improving energy efficiency would be considered to be included within goal 2: minimising our impact on climate change. This is in alignment with UN Sustainable Development Goal 13. Under part g) of the policy, dark night skies is considered to be included within the strategic wording: 'character, quality and tranquillity of the National Park'.

All policies are read together and therefore influence each other, combining or merging them will not generally change their effectiveness.

**Authority proposed action:**

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**Respondent Number:** 0086

**Name:** Stephen Hutchins

**Organisation:**

**On behalf of:**

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**Rep. Number:** 1

**Local Plan Section:** 1.4 **Paragraph/policy** Strategic Policy 1.4 (2)

**Is the Local Plan sound?:** Yes

**Is the Local Plan legally compliant?:** Yes

**Is the Local Plan compliant with the duty to co-operate?:** Yes

**Hearing session(s):** Yes, I wish to participate in hearing session(s)

**Why?** As a local resident for 38 years standing I would like to put over in person the importance of being able to stay in the village where I brought up a family, provided local jobs and supported the village community and other villagers.  
See also my earlier "on-line" comment form

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

Support the inclusion of Mary Tavy as a "Rural Settlement".

**Modifications necessary to make the Local Plan compliant:**

N/A

**Authority response:**

Noted.

**Authority proposed action:**

None.

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**Respondent Number:** 0047

**Name:** Lucie

**Organisation:** Burrator Parish Council

**On behalf of:**

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**Rep. Number:** 2

**Local Plan Section:** 1.4

**Paragraph/policy** Policy 1.4 (2)

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

[LATE COMMENT]

Lovaton should be included in the village and hamlet category, given it has 15 houses. That would make it up to 20.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

The methodology for designating settlements as suitable locations for development is available in the Vision and Spatial Strategy Topic Paper. Settlements are designated based on various criteria, such as size, services, facilities and access. Whilst some Dartmoor hamlets may fit the dictionary definition of a settlement, the Local Plan uses a different methodology to identify which settlements are suitable for development.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0193

**Name:** Sarah Woodman

**Organisation:** Ugborough Parish Council

**On behalf of:**

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**Rep. Number:** 1

**Local Plan Section:** 1.4

**Paragraph/policy** Policy 1.4 (2)

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

Ugborough Parish Council considers that Wrangaton should be included in the Plan, particularly in the light of the 36 new homes and public amenities to be built within the community.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

Full discussion on how the Authority has assessed settlements for inclusion in the hierarchy is available in section 3 of the Vision and Spatial Strategy Topic Paper. Wrangaton does not have the necessary services and facilities to be considered a sustainable settlement against the methodology set out.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0118

**Name:** Coral Ducroq

**Organisation:** Stride Treglown

**On behalf of:** Mr S Hutchins

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**Rep. Number:** 1

**Local Plan Section:** 1.4 **Paragraph/policy** 1.4 (2)

**Is the Local Plan sound?:** Yes

**Is the Local Plan legally compliant?:** Yes

**Is the Local Plan compliant with the duty to co-operate?:** Yes

**Hearing session(s):**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

Support the inclusion of Mary Tavy as a 'Rural Settlement'

**Modifications necessary to make the Local Plan compliant:**

N/A

**Authority response:**

**Authority proposed action:**

None proposed

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**Respondent Number:** 0057

**Name:** John Coxon

**Organisation:** Emery Planning

**On behalf of:** Wainhomes Ltd.

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**Rep. Number:** 2

**Local Plan Section:** 1.4

**Paragraph/policy** Policy 1.4(2)

**Is the Local Plan sound?:**

No

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:** Yes, I wish to participate in hearing session(s)

**Why?** To respond to the Inspectors questions and the Council's case/hearing statements. The evidence and issues are complex and require thorough interrogation

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

Strategic Policy 1.4 (2) Spatial Strategy

4.1 The draft plan proposes to provide 60% of the housing in the Local Centres. We consider that this proportion should be increased, to provide the certainty of housing allocations in the most suitable and sustainable locations, with the least impact on the National Park. These settlements represent the logical locations to plan for meeting housing and economic development needs in the National Park.

4.2 In terms of the distribution of development across the Local Centres, the plan does not set specific housing and employment figures for each settlement. We consider that the amount of development to be delivered in each Local Centre should be set out in the plan. It would then also be possible to relate the quantum of development proposed in this plan to the commitment made Dartmoor's commitment through the Plymouth and South West Devon Joint Local Plan to deliver 600 dwellings within West Devon and South Hams (see our response to Policy 3.1 below). At present there does not appear to be any consideration as to how this commitment will be fulfilled.

4.3 Notwithstanding the above, allocations are made in the Local Centres in Section 7 of the draft plan. The distribution between the Local Centres appears to be broadly equal. However, in determining the distribution of development, neither the plan nor the evidence considers environmental constraints / capacity to accommodate development in determining the distribution of development between the Local Centres.

4.4 We consider that the Local Plan needs to carefully plan for development based upon the capacity of specific settlements to accommodate development, particularly in terms of the impact on the National Park. Regard should be had to the availability of suitable sites to meet the need, which may be capable of addressing affordable housing needs extending beyond the particular settlement in question. The capacity to accommodate development in some of the Local Centres is significantly higher than in others. On the basis we propose that South Brent accommodates a higher proportion of development than currently proposed. In addition to having very high levels of unmet housing need, there is suitable land within the settlement which could be developed with the least impact upon the National Park. We set out our case on this matter in further detail in our response to Section 7 of the draft plan, which deals with the proposed allocations.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

The distribution of housing growth across the settlements is discussed in section 5.5 of the Housing Topic Paper. Because policy is needs led, this apportionment is not expressed in policy and is not a target. The apportionment does however provide a benchmark for monitoring delivery and broad policy changes. Delivering against the apportionment is discussed in section 8 of the Housing Topic Paper. Small-scale delivery in the National Park means that subtle differences are difficult to measure, however



there is a history of under-delivery in the Rural Settlements and over-delivery in the Local Centres. This has supported policy changes in the rural settlements which seek to increase delivery in these locations. The evidence presented in the Housing Topic Paper does not support an increase to the apportionment in the Local Centres.

The 600 dwelling delivery figure within the Plymouth HMA is a historic level delivery that DNPA has seen in the part of Dartmoor lying within West Devon and South Hams. The 600 dwelling figure is indicative and does not commit the Local Plan to delivery at that level, nor does it indicate the National Park will provide for housing growth beyond that which it may identify as meeting local need within the National Park. This is discussed in section 4.2 of the Housing Topic Paper.

The Local Plan's housing policies are based upon a needs led approach to housing delivery. This is consistent with national policy for National Parks, ensuring affordable housing is available for local people throughout Dartmoor. A capacity led approach would not achieve this and is not considered sound or consistent with national policy.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0202

**Name:** Lestyn John

**Organisation:** Town planning consultants

**On behalf of:** Buckfast Abbey Trustees

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**Rep. Number:** 0

**Local Plan Section:** 1.4

**Paragraph/policy** 1.4(2) Spatial Strategy

**Is the Local Plan sound?:** Yes

**Is the Local Plan legally compliant?:** Yes

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:** No

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** No

**Detail of representation:**

Policy 1.4(2) provides a positive and clear statement on the spatial approach to be taken towards development in the Park and in relation to the national approach towards development in National Park area.

We strongly support South Brent being identified as a Local Centre within Policy 1.4(2). This is wholly appropriate given its size and range of facilities and its' location relative to other Park settlements.

The approach being advocated in the draft policy will set out clear guidelines for future development with the tiered focus meaning that development, where needed, will be concentrated in the most sustainable settlements but without excluding smaller settlements from being able to meet their own lower levels of need. We note that the policy provides for a modest increase in the level of development in Local Centres when compared to the approach established in the current local plan. This is welcome as some extra provision is needed to help address the demographic and economic challenges facing Park communities, as set out in other parts of the draft Local Plan. Given the important role Local Centres play within the Park, we especially support the priority being given within the draft policy to enhancing services in these settlements in order to meet their needs and those of their hinterlands.

In summary, it considered that the approach set out in Policy 1.4(2) will help to ensure that the Park can protect its environment whilst also meeting the social and economic needs of its communities, as required under relevant legislation for the National Park.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0131

**Name:** Hazel Jones

**Organisation:**

**On behalf of:**

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**Rep. Number:** 4

**Local Plan Section:** 1.4

**Paragraph/policy** Policy 1.4(2)

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

p20 Mention of surrounding conurbations should be included.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

This section refers to the spatial strategy and sets where the Authority will direct development through its statutory powers as a Local Planning Authority. The Authority have no ability to direct development to surrounding conurbations and so we have avoided mentioning them here to avoid confusion. They are however shown mapped on Map 1.1 for context.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0063

**Name:** Richard Bailey

**Organisation:** Bell Cornwell LLP

**On behalf of:** Peninsula Properties (owners of land at Exeter Road, South Brent)

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**Rep. Number:** 1

**Local Plan Section:** 1.4

**Paragraph/policy** Policy 1.4 (2)

**Is the Local Plan sound?:** Yes

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

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.

**Modifications necessary to make the Local Plan compliant:**

n/a

**Authority response:**

**Authority proposed action:**

None proposed

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**Respondent Number:** 0013

**Name:** Elliot Jones

**Organisation:** Boyer Planning

**On behalf of:** Cavanna Homes (South West) Limited

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**Rep. Number:** 1

**Local Plan Section:** 1.4

**Paragraph/policy** Policy 1.4 (2)

**Is the Local Plan sound?:**

No

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:** Yes, I wish to participate in the hearing sessions

**Why?** As set out in our representations submitted in response to this consultation, there are a number of concerns which relate to the soundness of the Plan as currently prepared. In light of these concerns it is considered necessary to participate at the EiP Hearing sessions in order to ensure such matters are fully considered and addressed through the Examination.

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

The Spatial Strategy

3.1 Paragraph 1.4.3 of the Regulation 19 Consultation Document explains that a key role of the Local Plan is to avoid development in places where it would cause harm to the National Park and to direct it to where there are the best opportunities for sustainable living.

3.2 Such an approach is supported in principle and we are encouraged that a stated aim of the Plan (para 1.4.5) is to focus development in the most sustainable locations, where it relates well to existing development.

3.3 In this context, paragraph 1.4.6 of the Consultation Document sets out the Spatial Strategy and the classification of settlements. Local Centres, including Moretonhampstead, represent the top tier settlements as these are the largest and most sustainable settlements within the National Park and where sites are allocated to meet local housing and employment needs, or enable redevelopment opportunities.

3.4 The classification of Moretonhampstead as a Local Centre is supported and as a result the capacity of this settlement to accommodate development in a sustainable manner is recognised.

3.5 Suitable development opportunities at Moretonhampstead, which are capable of addressing identified affordable housing need and supporting the vibrancy of the settlement, whilst protecting the special qualities of the National Park should be supported.

**Modifications necessary to make the Local Plan compliant:**

Opportunities such as Courtenay Park should therefore be identified and brought forward as allocations to provide for growth throughout the plan period.

**Authority response:**

The Local Plan identifies sufficient land to provide for its indicative housing figure over the Plan period, without the need for additional sites.

**Authority proposed action:**

None proposed

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**Respondent Number:** 0207

**Name:** Richard Bailey

**Organisation:** Bell Cornwell

**On behalf of:** Peninsula Properties

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**Rep. Number:** 1

**Local Plan Section:** 1.4

**Paragraph/policy** Strategic policy 1.4 (2)

**Is the Local Plan sound?:** Yes

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:** No

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

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.

**Modifications necessary to make the Local Plan compliant:**

n/a

**Authority response:**

**Authority proposed action:**

None proposed

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**Respondent Number:** 0006

**Name:** Phil Baker

**Organisation:** South Hams District Council, West Devon Borough Council & Ply

**On behalf of:**

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**Rep. Number:** 6

**Local Plan Section:** 1.4

**Paragraph/policy** Policy 1.4 (2)

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

4.SPATIAL STRATEGY

STRATEGIC POLICY 1.4(2) Spatial Strategy

The JLP Councils support the identification of a settlement hierarchy and the use of different policy approaches appropriate to the hierarchy in order to ensure homes are built in the most sustainable locations.

The Housing Strategy Summary Diagram is an effective method of visualising the strategy, although some settlements have settlement boundaries that run along the DNP boundary, meaning that exception sites adjoining the settlement boundary would not necessarily be subject to DNPA planning policy as the proposal site would be outside the DNPA.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

This is acknowledged, although there is little scope to add additional layer of detail to this diagram. At the beginning of the document it is clarified that DNPA and the Dartmoor Local Plan applies to land falling within the National Park boundary.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0011

**Name:** Amy Roberts

**Organisation:** Bell Cornwell

**On behalf of:** FMB Projects Ltd

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**Rep. Number:** 2

**Local Plan Section:** 1.4 **Paragraph/policy** Policy 1.4 (2)

**Is the Local Plan sound?:** Yes

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

Strategic Policy 1.4(2) Spatial Strategy

This draft policy sets out the spatial principles for development within Dartmoor National Park. It proposes a second tier category of settlement (to be known as Rural Settlements) where there would be greater opportunities than envisaged in the current development plan for growth to address local needs.

Settlement boundaries are proposed for the Rural Settlements.

Christow is identified as a Rural Settlement.

Observations on Draft Policy

Our client remains supportive of the inclusion of the Rural Settlement category, where development intended to meet the needs of the settlement and its parish will be acceptable in principle, and Christow's inclusion within this category. Particular support is given to the priorities 'to maintain employment sites and give opportunities for new or improved employment sites where appropriate opportunities exist' and 'to maintain or enhance a range of services and facilities which serve the settlement' (criteria b and c respectively). This is a positive approach that is consistent with achieving sustainable development, is justified as an appropriate strategy for this settlement and is consistent with national policy, as it will enable the delivery of sustainable development.

We note that Gidley's Meadow is shown as falling within the proposed settlement boundary for Christow (Map 7.15) and STRONGLY SUPPORT this proposal (please also see our comments on Policy 7.1(2) Settlement Boundaries and Development Sites). This approach is justified i.e. an appropriate strategy in light of the key principles on which settlement boundaries are based (as set out in paragraph 7.1.5).

Paragraph 7.1.5 explains that settlement boundaries are drawn tightly around the built form of the settlement, including any land with planning permission, and normally include a number of land uses, including employment uses. This approach is also consistent with national policy, as it will enable the delivery of sustainable development, and has been positively prepared, therefore meeting the tests of soundness.

This links to paragraphs 1.6.6 and 1.8.1, which stress the importance of using what little development land is available to best effect and strongly encourage the reuse of previously developed land to best effect in recognition of the scarcity of development land in Dartmoor. Diversifying the range of employment generating uses that can occupy the existing buildings at Gidley's Meadow would provide additional services and facilities for Christow, which would complement the existing uses, at a time when facilities and services are decreasing in number and development opportunities are limited.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

**Authority proposed action:**



None proposed.

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**Respondent Number:** 0206

**Name:** Des Dunlop

**Organisation:** D2 Planning Limited

**On behalf of:** Pearce Fine Homes

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**Rep. Number:** 3

**Local Plan Section:** 1.4 **Paragraph/policy** Policy 1.4 (2)

**Is the Local Plan sound?:** No

**Is the Local Plan legally compliant?:** No

**Is the Local Plan compliant with the duty to co-operate?:**No

**Hearing session(s)?:** Yes

**Why?** Issues raised need to be the subject of discussion and debate

**Did respondent comment on Reg 18 Local Plan?:** No

**Detail of representation:**

Support is given to the identification of Buckfast as a rural settlement. The settlement has a good range of facilities and services and is well placed to meet development needs in the Local Plan period. We believe that insufficient land has been identified for housing in Buckfast given its status.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

Evidence to support housing delivery and the pattern of site allocation proposed is available in section 8 of the Housing Topic Paper.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0048

**Name:** Andy Stokes

**Organisation:** Buckfastleigh Town Council

**On behalf of:**

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**Rep. Number:** 8

**Local Plan Section:** 1.4

**Paragraph/policy** Policy 1.4 (2)

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

1.4 Spatial strategy. We feel that the use of language such as 'promoting development opportunities' in this context is inappropriate and sends the wrong message. We would argue that is not the role of the DNPA or this document to 'promote' development 'opportunities' but to respond to development proposals and safeguard the park and that this is in contradiction to the spirit of the NPPF which states that major development should be refused unless exceptional circumstances can be proved.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

The Local Plan seeks to support development which conserves and enhances the qualities for which it is designated and aids addressing the socio-economic issues it faces. DNPA do therefore promote and positively support appropriate development and do not just have a reactionary role.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0041

**Name:** Joan Banks

**Organisation:** BRIDFORD PARISH COUNCIL

**On behalf of:**

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**Rep. Number:** 2

**Local Plan Section:** 1.4 **Paragraph/policy**

**Is the Local Plan sound?:** No

**Is the Local Plan legally compliant?:** Yes

**Is the Local Plan compliant with the duty to co-operate?:**No

**Hearing session(s)?:** No, I do not wish to participate in hearing session(s)

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

You have published on page 21 of the draft Local Plan a map of the Dartmoor National Park. This map shows that there is a ribbon of development close to the boundary around the whole of the National Park and that most of Dartmoor's local centres, rural settlements, villages and hamlets are contained within this development. The map also shows, with the notable exception of Exeter, the key settlements that are outside the National Park. The map does not however show all of the other rural settlements, villages and hamlets that are also outside the National Park and which are just as numerous as those that are on the inside. The map also shows that to a significant extent all of the settlements in the ribbon of development are linked together by the dual carriage ways of the A30 and A38 to the north and south-east and by the A386 to the west. The map does not show the railway which also links Plymouth with Exeter and the proposed railway which will link Okehampton with Exeter.

As most of Dartmoor's local centres, rural settlements, villages and hamlets are so well linked together not only with each other but also with the cities, towns and villages just outside the boundary we believe that the Local Plan for Dartmoor should take account of the Local Plans for the surrounding planning authorities. There does not appear to be any evidence that the draft Dartmoor Local Plan has been integrated with the surrounding areas in any way, indeed all of the indications are that it has been prepared on the assumption that Dartmoor exists as a remote island.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

Map 1.1 shows the Local Plan's spatial strategy and how policies in the plan apply across different categories of settlement. It is not intended to show or be a summary of places that are relevant to the Local Plan. Any omissions from the map is not an indication of whether they have been properly considered in the plan-making process.

**Authority proposed action:**

None proposed

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**Respondent Number:** 0047

**Name:** Lucie

**Organisation:** Burrator Parish Council

**On behalf of:**

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**Rep. Number:** 1

**Local Plan Section:** 1.4 **Paragraph/policy**

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

[LATE COMMENT]

"Please could you feedback on behalf of the Parish Council that para 1.4.6 is incorrect in so far as there are 19 villages and hamlets in the national park (not 18 as indicated) and that on Map 1.1 Meavy needs to be named against its location mark below Dousland as a rural settlement (which makes up the 19th village and hamlet). At present Map 1.1 identifies Meavy as a village and hamlet but does not name it, hence there are 19 villages and hamlets identified on the Map but only 18 are named. I hope that makes sense!

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

Noted, a modification is proposed.

**Authority proposed action:**

Modification proposed to paragraph 1.4.6 to clarify there are 19 villages and hamlets.

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**Respondent Number:** 0209

**Name:** Mark Brunsdon

**Organisation:**

**On behalf of:**

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**Rep. Number:** 1

**Local Plan Section:** 1.4

**Paragraph/policy** 1.4.6

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** No

**Detail of representation:**

[LATE RESPONSE]

I would like to propose several amendments to the Local Plan. I appreciate I have missed the deadline for responses but hope these comments will be taken into account.

1.Under 1.4.6, Map 1.1 and Strategic Policy 1.4 (2) Spatial Strategy para 3:

Lovaton should be included under the category "Villages and Hamlets" It is an established historic hamlet with 15 houses.

2.Also whilst Meavy is marked on Map 1.1 it is not named and there are 19 marked villages and hamlets on the map not 18 as stated in 1.4.6. Once Lovaton is included the total becomes 20.

In 1870-72, John Marius Wilson's Imperial Gazetteer of England and Wales described Lovaton like this: LOVETON, a village in Meavy parish, Devon; 6½ miles SE of Tavistock

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

Full discussion on how the Authority has assessed settlements for inclusion in the hierarchy is available in section 3 of the Vision and Spatial Strategy Topic Paper. Lovaton is not considered large enough or with sufficient services and facilities to be considered a classified settlement where development would be sustainable. This does not detract from its status as a village or hamlet in the broader definition of the terms.

A modification is proposed to correct the number of villages and hamlets stated in paragraph 1.4.6.

**Authority proposed action:**

A modification is proposed to correct the number of villages and hamlets stated in paragraph 1.4.6.

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**Respondent Number:** 0009

**Name:** Tristan Peat

**Organisation:** Mid Devon District Council

**On behalf of:**

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**Rep. Number:** 1

**Local Plan Section:** 1.4

**Paragraph/policy** Policy 1.4 (2)

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

[LATE COMMENT]

I refer to the consultation on the Dartmoor Local Plan 2018 – 2033 First Draft (regulation 18 consultation).

Thank you for providing an opportunity to comment on the emerging Dartmoor Local Plan Review. Continued close working with the Dartmoor National Park Authority is welcomed, as required under the Duty to Cooperate, which requires that partners engage constructively, actively and on an ongoing basis with other authorities and certain prescribed organisations in relation to strategic matters when preparing local plans. The 2018 National Planning Policy Framework has introduced a requirement to evidence effective joint working through a statement of common ground. A Duty to Cooperate meeting was held on 18 October 2018 and on the basis of the useful discussions during the meeting, We consider that Dartmoor National Park Local Plan has satisfied the requirements of the duty to date.

Mid Devon District adjoins the Dartmoor National Park Local Plan Area along its southern boundary. However, a small part of the district also falls within the Dartmoor National Park, at Cheriton Bishop. Notwithstanding this overlap, the two areas share a strong geographical relationship in terms of landscape and settlement morphology, local character and the historic environment. In light of this, I wish to make the following comments for Mid Devon District Council:

**Spatial Strategy**

The emerging spatial strategy for the Dartmoor Local Plan is supported. This identifies Cheriton Bishop as a rural settlement which has relatively good access to services and is better placed to meet the development needs of the settlement and the surrounding parish. A settlement limit is identified, but no allocated development sites are proposed. This is consistent with Mid Devon's Local Plan Review which designates Cheriton Bishop as a village considered appropriate for a limited level of development, based on its physical characteristics, and the availability of educational, convenience and transport services. It is considered that both plans will enable Cheriton Bishop to continue to develop in such a way that it meets local needs and supports vibrant rural communities.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

**Authority proposed action:**

None proposed.





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**Respondent Number:** 0206

**Name:** Des Dunlop

**Organisation:** D2 Planning Limited

**On behalf of:** Pearce Fine Homes

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**Rep. Number:** 4

**Local Plan Section:** 1.5 **Paragraph/policy** Policy 1.5 (2)

**Is the Local Plan sound?:** No

**Is the Local Plan legally compliant?:** No

**Is the Local Plan compliant with the duty to co-operate?:**No

**Hearing session(s):** Yes

**Why?** Issues raised need to be the subject of discussion and debate

**Did respondent comment on Reg 18 Local Plan?:** No

**Detail of representation:**

The policy simply reiterates the guidance in the NPPF. There is no need to duplicate the advice in the Local Plan and the draft Policy should therefore be deleted.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

The policy provides clarity and additional guidance in its application than is available in the NPPF. DNPA believe the policy is justified.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0063

**Name:** Richard Bailey

**Organisation:** Bell Cornwell LLP

**On behalf of:** Peninsula Properties (owners of land at Exeter Road, South Brent)

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**Rep. Number:** 2

**Local Plan Section:** 1.5

**Paragraph/policy** Policy 1.5 (2)

**Is the Local Plan sound?:**

Uyes

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

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.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

None proposed

**Authority proposed action:**

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**Respondent Number:** 0201

**Name:** Richard Bailey

**Organisation:** Bell Cornwell

**On behalf of:** Buckfast Abbey

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**Rep. Number:** 1

**Local Plan Section:** 1.5

**Paragraph/policy** 1.5 (2)

**Is the Local Plan sound?:**

No

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:** Yes

**Why?** To be able to elaborate on the comments made as required/ necessary.

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

As set out in our previous representation to the draft local plan (December 2018), we felt that the policy needed amending to provide clarity on the circumstances in which major development within the national park could be acceptable. In that regard, the Abbey support the changes to policy that have been made, specifically the inclusion of the criteria a) to d).

We do though still have a concern with the policy as drafted and therefore do not consider it to be sound. The policy is drafted in a way that means it would apply to any development that is brought forward, including the local plan allocations. There is though no justifiable reason why this policy should relate to major development on allocated sites. After all, these sites are justified through the plan making process (including a site selection process) and have been identified to ensure that specific needs and objectives (e.g. housing, well-being, employment) are met. It is therefore not necessary or indeed appropriate for a major development proposal at an allocated site to have to satisfy policy 1.5.

As a result, we propose that the policy wording should be amended to specifically make it clear that this policy is not applicable to developments proposed in relation to allocated sites within the local plan

**Modifications necessary to make the Local Plan compliant:**

Suggest wording should be added to the policy, at the end, as follows:

“This policy does not apply to major development proposals brought forward in connection with the allocated sites of this plan.”

**Authority response:**

Policy 1.5 (2) states the definition of major development is not the statutory definition (i.e. 10 dwellings or more, a building with 1,000m<sup>2</sup> of floorspace or more etc.).

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0048

**Name:** Andy Stokes

**Organisation:** Buckfastleigh Town Council

**On behalf of:**

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**Rep. Number:** 9

**Local Plan Section:** 1.5

**Paragraph/policy** Policy 1.5 (2)

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

1.5.1 Major developments. We pointed out at the consultation meeting at the Parke, that the current wording of this definition of 'Major Development' within the National Park is confusing and could be taken to mean that DNPA was opting out of the NPPF definition of 10 dwellings or more. We support any move to further strengthen the definition and be stringent about restricting development within the Park. We would most certainly NOT support any attempt to bypass or dilute the NPPF definition and strictures against major development, for instance deciding that a development proposing more than 10 dwellings should not be considered a 'major development' and would therefore fall outside the restrictions in the NPPF. We would like further clarity of this definition to be included and the opportunity to respond.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

Both the Local Plan and NPPF definition for the purposes of paragraph 172 of the NPPF and policy 1.5 (2) of the Local Plan is not the statutory definition for a major planning application (e.g. 10 houses or more). Footnote 55 of the NPPF helps clarify this matter. Further discussion on this issue and DNPA's approach is available at section 13 of the Minerals and Waste Topic Paper.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0207

**Name:** Richard Bailey

**Organisation:** Bell Cornwell

**On behalf of:** Peninsula Properties

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**Rep. Number:** 2

**Local Plan Section:** 1.5 **Paragraph/policy** Strategic policy 1.5 (2)

**Is the Local Plan sound?:** Yes

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:** No

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

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.

**Modifications necessary to make the Local Plan compliant:**

n/a

**Authority response:**

**Authority proposed action:**

None proposed

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**Respondent Number:** 0131

**Name:** Hazel Jones

**Organisation:**

**On behalf of:**

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**Rep. Number:** 5

**Local Plan Section:** 1.5

**Paragraph/policy** Policy 1.5 (2)

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

p24The Strategic Policy must be linked to those of authorities outside the Park.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

NPPF paragraph 172 clarifies the national Major Development policy applies to development occurring within National Parks, the Broads and Areas of Outstanding Natural Beauty. The policy does not therefore apply to development outside these areas and we do not believe the policy is therefore currently required by neighbouring authorities (except where applying to an AONB in their area), even where development occurs in the National Park's setting.

**Authority proposed action:**

None proposed

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**Respondent Number:** 0005

**Name:** Barry Wilson

**Organisation:** E&JW Glendinning Ltd

**On behalf of:**

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**Rep. Number:** 4

**Local Plan Section:** 1.5

**Paragraph/policy** Policy 1.5 (2)

**Is the Local Plan sound?:**

No

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:** Yes

**Why?** These points are important and should be carefully considered by the National Park Authority before the Examination, and if no change is made then we wish that it is carefully considered by the Inspector at the Examination.

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

This policy has been expanded from the version in the Reg 18 version of the plan. It now incorporates more content from NPPF para 172. However, criterion a) refers to a 'national need' rather than a need 'in terms of any national considerations'. Meeting a national need is a significantly higher requirement than a need 'in terms of any national considerations'.

Also criterion a) includes a reference to the development's contribution to the national economy. This goes beyond the scope of NPPF para 172, which refers to 'the impact .... upon the local economy'. These higher requirements are not consistent with national policy or guidance and therefore should be removed.

**Modifications necessary to make the Local Plan compliant:**

The wording of criterion a) should be changed and merged with criterion b) to read:

a) the need for the development, including in terms of national considerations and the impact of permitting it, or refusing it, upon the local economy;

The other criteria should be relabelled accordingly.

See box above for reasons why this change will make the plan sound.

**Authority response:**

The policy's wording is considered consistent with the wording in NPPF paragraph 172, the wording adds useful additional detail. Similar wording was recently found sound during examination of the North York Moors Local Plan 2020.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0005

**Name:** Barry Wilson

**Organisation:** E&JW Glendinning Ltd

**On behalf of:**

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**Rep. Number:** 5

**Local Plan Section:** 1.5

**Paragraph/policy** Para 1.5.4

**Is the Local Plan sound?:**

No

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:** Yes

**Why?** This is an important point and should be carefully considered by the National Park Authority before the Examination, and if no change is made then we wish that it is carefully considered by the Inspector at the Examination.

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

Para 1.5.4 concludes with the sentence;

'If an alternative location is technically and financially viable, applicants will be expected to pursue that option, even if the location within the National Park is more financially advantageous'.

This requirement is contrary to the NPPF para 172 which refers to 'the cost of and scope for developing outside the designated area, or meeting the need for it in some other way'.

This wording in the NPPF has a clear implication that if the alternative outside the designated area is more costly, then this is a material consideration in favour of the option inside the designated area.

The wording in the Reg 19 version of the plan does not comply with national policy and guidance in this regard.

**Modifications necessary to make the Local Plan compliant:**

The last sentence of para 1.5.4 should be deleted from the plan.

See box above for reasons why this change will make the plan sound.

**Authority response:**

DNPA do not agree with this interpretation. It seems the contentious phrase is 'pursue that option' and what is exactly meant by this. We believe that as written pursue means that an alternative option should be looked into, researched and reported on. We do not believe that it means planning permission will be refused for the option in the National Park and the alternative option outside the National Park is therefore left as the only option to pursue. This interpretation is consistent with the term being used in the reasoned justification, rather than policy.

**Authority proposed action:**

None proposed.



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**Respondent Number:** 0132

**Name:** Bas PAYNE

**Organisation:** Moretonhampstead Parish Council

**On behalf of:**

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**Rep. Number:** 4

**Local Plan Section:** 1.5

**Paragraph/policy** Policy 1.5 (2)

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

The strong presumption against major development remains [following Reg 18 comment]; however the definition of what constitutes major development has changed.

We support the first part of the redefinition of Major Development in the box on p.23; however we think it is desirable that this is added to the standard definition in the second sentence rather than simply replacing it as proposed. We are concerned that the simple replacement risks allowing developers too much scope for argument and appeal.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

The NPPF states the definition of major development in designated landscapes is not the statutory definition. DNPA are therefore unable to take this approach.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0074

**Name:** Gary Parsons

**Organisation:** Sport England

**On behalf of:**

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**Rep. Number:** 2

**Local Plan Section:** 1.6

**Paragraph/policy** Policy 1.6 (2)

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

1.Strategic Policy 1.6 / para 1.6 Good Design

SUPPORT – suggested amendments

Sport England along with Public Health England have launched our revised guidance 'Active Design' which we consider has considerable synergy the Plan. It may therefore be useful to provide a cross-reference (and perhaps a hyperlink) to <https://www.sportengland.org/facilities-and-planning/active-design/> . Sport England believes that being active should be an intrinsic part of everyone's life pattern.

- The guidance is aimed at planners, urban designers, developers and health professionals.
- The guidance looks to support the creation of healthy communities through the land use planning system by encouraging people to be more physically active through their everyday lives.
- The guidance builds on the original Active Designs objectives of Improving Accessibility, Enhancing Amenity and Increasing Awareness (the '3A's'), and sets out the Ten Principles of Active Design.
- Then Ten Active Design Principles have been developed to inspire and inform the design and layout of cities, towns, villages, neighbourhoods, buildings, streets and open spaces, to promote sport and physical activity and active lifestyles.
- The guide includes a series of case studies that set out practical real-life examples of the Active Design Principles in action. These case studies are set out to inspire and encourage those engaged in the planning, design and management of our environments to deliver more active and healthier environments.
- The Ten Active Design Principles are aimed at contributing towards the Governments desire for the planning system to promote healthy communities through good urban design.

The developer's checklist (Appendix 1) has been revised and can also be accessed via [www.sportengland.org/activedesign](http://www.sportengland.org/activedesign)

Sport England would encourage development in Dartmoor be designed in line with the Active Design principles to secure sustainable design. This could be evidenced by use of the checklist.

## MODEL POLICY FOR ACTIVE DESIGN

A suggested model policy for Local Plans and Neighbourhood Plans is set out below: [image included, refer to original representation]

Supporting Text to the Policy is included within the Active Design guidance.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

The value of the guidance is noted.

**Authority proposed action:**

DNPA will include a reference and link in Site Development Guides which are published alongside the Local Plan.

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**Respondent Number:** 0007

**Name:** Sue Green

**Organisation:** Home Builders Federation

**On behalf of:**

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**Rep. Number:** 7

**Local Plan Section:** 1.6

**Paragraph/policy** Policy 1.7 (2)

**Is the Local Plan sound?:** No

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**No

**Hearing session(s)?:** Yes, I wish to participate in hearing session(s)

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

Strategic Policy 1.7(2) Bullet Point (1) sets out that “all development proposals should minimise their impact on climate change by reducing carbon emissions further than required by Building Regulations, and improving their energy efficiency using a ‘fabric-first’ approach”. Under Bullet Point (2) “all new residential buildings must achieve either (a) a minimum 10% reduction in carbon emissions over Building Regulations Part L 2013, using a fabric-first approach or (b) Association for Environment Conscious Building (AECB) or Passivhaus certification”.

Today’s new homes are very energy efficient with lower heating bills for residents compared to existing older homes. The HBF support moving towards greater energy efficiency via a nationally consistent set of standards and a timetable for achieving any enhancements which is universally understood and technically implementable. The HBF acknowledges that the Government has not enacted its proposed amendments to the Planning & Energy Act 2008 to prevent the DNPA from stipulating energy performance standards that exceed the Building Regulations but consider that the DNPA should comply with the spirit of the Government’s intention of setting standards for energy efficiency through the Building Regulations. It is the HBF’s opinion that the DNPA should not be setting different targets or policies outside of Building Regulations. The key to success is standardisation and avoidance of every Council in the country specifying its own approach to energy efficiency, which would undermine economies of scale for both product manufacturers, suppliers and developers.

Currently, the Government is consulting (ending on 10th January 2020) on The Future Homes Standard. The UK has set in law a target to bring all its greenhouse gas emission to net zero by 2050. New and existing homes account for 20% of emissions. It is the Government’s intention to future proof new homes with low carbon heating and world-leading levels of energy efficiency. This current consultation addresses :-

- Options to uplift standards for Part L (Conservation of Fuel & Power) Building Regulations in 2020 and changes to Part F (Ventilation) Building Regulations. An increase in energy efficiency requirements for new homes in 2020 will be a meaningful and achievable stepping-stone to the Future Homes Standard in 2025. This is expected to be achieved through very high fabric standards and a low carbon heating system based on one of two options. The Governments preferred Option 2 proposes 31% reduction in carbon emissions compared to current standards (Approved Document L 2013) delivered by installation of carbon saving technology and better fabric standards. Both options increase costs for housebuilders (estimated costs between circa £2,557 - £4,847 per dwelling) ;
- Transitional arrangements to encourage quicker implementation ;
- Clarifying the role of Local Planning Authorities (LPA) in setting energy efficiency standards. The Government is proposing to remove the ability of LPAs to set higher energy efficiency standards than

those in Building Regulations which has led to disparate standards across the country and inefficiencies in supply chains. The Government wants to create certainty and consistency. The situation is confusing with decisions about technical appropriateness, application and enforcement of energy standards considered by planning officers, committees and Planning Inspectors rather than by qualified Building Inspectors. An uplift to Part L standards in 2020 will improve the energy efficiency of new homes and prepare housebuilders and supply chains in readiness for the further uplift in 2025 to meet the Future Homes Standard so there is no need for LPAs to seek higher standards. The DNPA should not be getting ahead of national policy, which is expected to come into effect mid / late 2020. Strategic Policy 1.7(2) Bullet Points (1) and (2) should be deleted.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

The Future Homes Standard consultation has not concluded and there is no guarantee of an improvement to national standards, in the interim it is appropriate and reasonable to pursue a local approach and this is consistent with national policy and guidance. Further discussion on this is available in section 3 of the Design and Built Environment Topic Paper

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0130

**Name:** Emma James

**Organisation:** Okehampton Town Council

**On behalf of:**

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**Rep. Number:** 11

**Local Plan Section:** 1.6 **Paragraph/policy**

**Is the Local Plan sound?:** Yes

**Is the Local Plan legally compliant?:** No

**Is the Local Plan compliant with the duty to co-operate?:** Yes

**Hearing session(s)?:** No, I do not wish to participate in hearing session(s)

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

Environmental sustainability - The council supports and agrees this statement to achieve efficient use and protection of natural resources.

Enhance Biodiversity - As A neighbouring town of DNP the Council supports and welcomes biodiversity.

Promote sustainable means of travel and easy access - the council wish to emphasis the need for rail access both North and South of NP. All forms of public transport should be promoted including buses and trains. There is no mention of public transport in this section.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

The Local Plan supports public transport in policy 4.3 (2)

**Authority proposed action:**

None proposed

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**Respondent Number:** 0007

**Name:** Sue Green

**Organisation:** Home Builders Federation

**On behalf of:**

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**Rep. Number:** 6

**Local Plan Section:** 1.6

**Paragraph/policy** Policy 1.6 (2)

**Is the Local Plan sound?:** No

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**No

**Hearing session(s)?:** Yes, I wish to participate in hearing session(s)

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

It is noted that the wording of Bullet Point (2) of this policy states that “decisions on design matters will be informed by the design principles set out in para 1.6.5 and supplementary design guidance”. The DNPA should not confer development plan status onto supplementary design guidance which does not have statutory force and has not been subject to the same process of preparation, consultation and examination as set out in the Town and Country Planning (Local Planning) (England) Regulations 2012 (Regulations). This reference should be deleted from Strategic Policy 1.6(2) Bullet Point (2) because it is inconsistent with national policy.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

The policy does not elevate the status of the Design Guide SPD, it forms a material consideration in accordance with its status.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0130

**Name:** Emma James

**Organisation:** Okehampton Town Council

**On behalf of:**

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**Rep. Number:** 10

**Local Plan Section:** 1.6

**Paragraph/policy** 1.6.9

**Is the Local Plan sound?:** Yes

**Is the Local Plan legally compliant?:** No

**Is the Local Plan compliant with the duty to co-operate?:** Yes

**Hearing session(s)?:** No, I do not wish to participate in hearing session(s)

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

1.6.9 Sustainable Construction Principles

The council agree and would like sustainable housing and possible zero carbon properties built, therefore, minimizing carbon emissions. Passive designs should be encouraged.

1.6.9 Sustainable Construction Principles (Point 3)

The council would like renewable energy to be generated locally. Encouraging hydro power as well and wind power.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

Discussion of DNPA's approach to efficiency in new housing is available in the Reducing CO2 emissions in new development policy research and recommendations paper and the Design and the Built Environment Topic Paper.

Renewable energy development which conserves the National Park's Special Qualities is supported through the policies of the Local Plan. Many small-scale domestic renewable energy installation benefit from permitted development rights.

**Authority proposed action:**

None proposed.



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**Respondent Number:** 0082

**Name:** Catherine Brabner-Evans

**Organisation:** Woodland Trust

**On behalf of:**

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**Rep. Number:** 1

**Local Plan Section:** 1.6 **Paragraph/policy** Strategic Policy 1.6 (2)

**Is the Local Plan sound?:** Yes

**Is the Local Plan legally compliant?:** Yes

**Is the Local Plan compliant with the duty to co-operate?:** Yes

**Hearing session(s)?:** No, I do not wish to participate in hearing session(s)

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

We support the policy that "Traditional and natural building materials should be used in all new development to complement Dartmoor's vernacular", which is strengthened by the "fabric-first" approach required at Policy 1.7.1.

In the context of the climate emergency and given the carbon intensive nature of the construction industry, the National Park Authority has an important role in developing clear design policies to help steer the decarbonisation of construction. Using sustainably sourced locally grown timber is an effective way of locking up carbon, while reflecting Dartmoor's vernacular and supporting sustainable forestry. The Climate Change Committee has recently produced several useful reports on this issue including: Wood in Construction in the UK (<https://www.theccc.org.uk/publication/wood-in-construction-in-the-uk-an-analysis-of-carbon-abatement-potential-biocomposites-centre/>); and UK housing: Fit for the future? (<https://www.theccc.org.uk/publication/uk-housing-fit-for-the-future/>)

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0132

**Name:** Bas PAYNE

**Organisation:** Moretonhampstead Parish Council

**On behalf of:**

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**Rep. Number:** 5

**Local Plan Section:** 1.6

**Paragraph/policy** Policy 1.6 (2)

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

Unchanged [from Reg 18 comment].

The policy is fine; the problem, however, is that DNPA frequently blocks the extraction of local materials through the planning process while doing nothing to encourage and support the extraction of local materials to ensure that there is a supply and that the relevant skills are maintained. The result is that inappropriate materials are used, skills are not maintained, and fossil fuels are wasted.

Corrugated metal sheeting should be removed from the list of traditional local materials for the reasons stated. We find it hard to understand why DNPA continues to regard corrugated iron as a traditional material – it is a recent cheap replacement. DNPA's position on this has little support, is widely derided, and encourages the use of more modern plastic-coated metal sheeting materials which look even worse.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

We are not aware of any circumstances where the Authority has refused permission for small-scale minerals extraction.

Whilst a more modern addition to the list, metal sheeting is ubiquitous amongst Dartmoor's agricultural buildings and is a characteristic feature of Dartmoor's architectural landscape. Whilst more modern, it is consistent with the vernacular principle of being a cheap, freely available and effective material, just as more traditional vernacular would have been in their time. The Local Plan and Design Guide have not sought to fix the Dartmoor vernacular in time, but allow it to change.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0029

**Name:** John Willis

**Organisation:**

**On behalf of:**

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**Rep. Number:** 3

**Local Plan Section:** 1.6

**Paragraph/policy** Policy 1.7 (2)

**Is the Local Plan sound?:** No

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:** No, I do not wish to participate in hearing session(s)

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

Policy 3.2.2 All new housing should meet and not significantly exceed nationally described technical housing standards

At a time when the national standards are seriously below the level that we need them regarding energy efficiency and insulation, it would seem to be far more sensible to say that it should significantly exceed those standards. It is hoped that local authorities will continue to have the powers to set high standards following the current government review.

Section 1.6.10 The hierarchy of measures for reducing a building's impact on climate change involves: 1) Minimising energy consumed in making construction materials and the process of construction. 2) Using passive design to minimise energy consumption during a building's use 3) Generating renewable energy locally.

Section 1.6.11 Strategies 1) and 2) have far greater energy saving potential and should always be considered before renewable energy generation. This is called a 'fabric first' approach and will be encouraged in all new development.

Given the climate emergency I would challenge this "fabric first" approach because we need to expend effort in all areas equally, and it is vital that we both promote renewable energy and reduction and consumption at the same time. One is not a substitute for the other.

**Modifications necessary to make the Local Plan compliant:**

Reword Policy 3.2.2 to read: All new housing within DNPA area will significantly exceed nationally described technical housing standards with regards to energy efficiency.

Reword Sections 1.6.10 and 1.6.11 to remove the "fabric first" approach and emphasise that both mitigation and adaptation will require equal effort to be given to both renewable energy generation and energy efficiency.

**Authority response:**

Nationally described technical housing standards are space standards for the size of new dwellings, they do not relate to energy efficiency. Policy 1.7 (2) seeks to improve energy efficiency standards by 10% above current building regulations, using a fabric first approach.

A fabric first approach is justified because improving a building's insulation reduces its energy use and this improved fabric will be within the building for its lifetime, renewable energy can always then be added to the building at a later date to reduce building emissions further.

If installing renewable energy generation first there will rarely be an opportunity later on in the building's life to improve the efficiency of its fabric. The disruption improving insulation causes to the building and

its occupants is unlikely to be a desirable or cost effective way of lowering emissions in the future. Renewable energy generation systems also have a shorter life expectancy and require maintenance, which worsens their cost effectiveness and sustainability credentials.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0165

**Name:** Stephen Sterling

**Organisation:** Ashburton Climate Emergency (ACE)

**On behalf of:**

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**Rep. Number:** 6

**Local Plan Section:** 1.6

**Paragraph/policy** Policy 1.7 (2)

**Is the Local Plan sound?:** No

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:** No, I do not wish to participate in hearing session(s)

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** No

**Detail of representation:**

The strategic policy on Delivering Good Design states that “Decisions on design matters will be informed by the principles set out in paragraph 1.6.5.” Within the Environmental Sustainability paragraph it states that they are promoting a fabric first approach to house design. We believe that access to renewable energy on every new house would be as important.

The Sustainable Construction Principles (1.6.10) are very commendable & extremely important, although we wonder whether the DNP has the capacity to enforce & monitor the requirements of 1.7(2).2 a & b policy.

We heartily support such stringent policy desires, however we are concerned about the statement in 3.2.(2) “All new housing should meet & not significantly exceed nationally described technical housing standards”!!

This policy statement effectively negates the earlier policies because the national standards are presently much lower than those that the DNP has stated that they wish to uphold.

It would also be helpful for the Plan to encourage residents to be able to improve the insulation & energy efficiency of their buildings.

Again, not having a clear & unequivocal policy on design & housing would seem inadequate to comply with National Planning Policy Framework in these areas:

- “mitigating & adapting to climate change, including moving to a low carbon economy” (NPPF paragraphs 7 & 8)
- Paragraph 148 which states “The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk & coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability & improve resilience... & support renewable & low carbon energy & associated infrastructure”
- Paragraph 149 states “Plans should take a proactive approach to mitigating & adapting to climate change... policies should support appropriate measures to ensure the future resilience of communities & infrastructure to climate change impacts”.

**Modifications necessary to make the Local Plan compliant:**

In 1.6.10 it would be helpful to require that building & insulation materials should also be of a high environmental standard too because many standard and frequently used building materials can be quite the opposite (but do not need to be).

We suggest that Good Design policy equally stresses the need for new builds to have access to renewable energy as well as have a very high insulation standard.

We suggest that policy 3.2.(2) is removed to avoid confusion.

In the extensions section 3.7(2) it would be helpful to stipulate the need for energy efficiency & insulation. It might be pertinent to adopt the Uttlesford principle – that a planning application can require energy efficiency improvements in another part of the building or another building altogether. In this way, homeowners wanting to build an extension were only allowed to do so if they did not increase the overall emissions of the whole building. (It means that energy efficiency measures must be made in the main building if the extension cannot be made zero-carbon.

**Authority response:**

Nationally described space standards relate to dwelling sizes, and are not directly related to dwelling efficiency. Unfortunately we are not able to change the titles of national documents.

It is not possible for the Local Plan to specify building materials by their climate impact, the quality and technical performance of building materials is specified by building regulations. Planning policy is able to improve the overall energy efficiency of a building's in-use emissions, within limitations set by national policy - this is pursued in policy 1.7 (2). Developers should do this using fabric methods first, and then revert to renewable where appropriate.

A fabric first approach is justified because improving a building's insulation reduces its energy use and this improved fabric will be within the building for its lifetime, renewable energy can always then be added to the building at a later date to reduce building emissions further.

**Authority proposed action:**

None proposed

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**Respondent Number:** 0058

**Name:** Marcus Salmon

**Organisation:** Environment Agency

**On behalf of:**

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**Rep. Number:** 4

**Local Plan Section:** 1.6

**Paragraph/policy** Policy 1.7 (2)

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

We welcome the commitment in Policy 1.7, in respect of sustainable construction, to encourage reduction in carbon emissions beyond those required by building regulations. It is also important, however, that new buildings are adapted to climate change. Furthermore, the policy could be more specific with regard water efficiency and management measures (e.g. green roofs, rainwater harvesting, low flow taps, etc.).

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

Noted, the Authority aim to support these methods within updated design guidance. Some water saving methods are promoted within small-scale development Policy 2.3.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0132

**Name:** Bas PAYNE

**Organisation:** Moretonhampstead Parish Council

**On behalf of:**

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**Rep. Number:** 6

**Local Plan Section:** 1.6

**Paragraph/policy** Policy 1.7 (2)

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

Policy now more detailed [from Reg 18 comment], but still centred on carbon emissions.

[NB Policy numbering doesn't match text. Sustainable construction is discussed in Text Sections 1.6.9-12; Section 1.7 discusses Amenity:]

The Policy should be reworded to stress reduction of energy use and fossil fuel use rather than reduction of carbon emissions, for the reasons given.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

NB - section and policy numbers are sequential ,and so might not always align because one section may have more than one policy.

The policy is focuses on energy and carbon, this is considered appropriate, further discussion is available in the Design and Built Environment TopicPaper.

**Authority proposed action:**

None proposed.



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**Respondent Number:** 0034

**Name:** Sarah-jane Barr

**Organisation:** Devon and Cornwall Police

**On behalf of:**

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**Rep. Number:** 1

**Local Plan Section:** 1.6

**Paragraph/policy** Policy 1.6 (2)

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

Thank you for requesting consultation on the Final Draft of the Dartmoor Local Plan.

Reference to 'Community Safety' under the Design Principles (paragraph 1.6.5) is noted but as decisions on design matters will be informed by the design principles (and supplementary design guidance), perhaps direct reference to Crime Prevention, Secured by Design or by listing the attributes of Crime Prevention through Environmental Design (CPTED) (as per my previous response) would be best placed here? It is felt that this would assist the reader/applicant in recognising that design for the prevention of crime, fear of crime and disorder (e.g. antisocial and unacceptable behaviour) should be considered as a design principle for new development.

It is appreciated that under 'Strategic Policy 1.6 Delivering Good Design' there is a hyperlink to the Dartmoor National Park Design Guide 2011 (Supplementary Planning Document) which makes important reference to the police owned crime prevention initiative Secured by Design (with Policy COR4 also being relevant) but as it is the Local Plan that is being consulted upon may I suggest that under Strategic Policy 1.6 (2) there is direct reference to 'design for the prevention of crime, fear of crime and disorder' and/or the Secured by Design initiative, as this would clearly identify the subject matter as a whole and then the hyperlink appropriately placed will provide the applicant/reader easy access to the Design Guide to understand how this could be achieved.

I hope this is useful and I would be happy to discuss further if required.

Respectfully submitted for consideration.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

Noted, the Authority recognises and appreciates the comments, and a clearer reference at 1.6.5 is proposed.

**Authority proposed action:**

Insert at 1.6.5 (Community Safety) reference to design for the prevention of crime, fear of crime and disorder as suggested.



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**Respondent Number:** 0131

**Name:** Hazel Jones

**Organisation:**

**On behalf of:**

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**Rep. Number:** 6

**Local Plan Section:** 1.6

**Paragraph/policy** Policy 1.6(2)

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

1.6.4 It is important to consider the cumulative effects of development, especially the lighting impact on dark skies.

p25Term 'Special qualities' should be included

Include 'maintain and enhance wildlife habitats and corridors'

p261.6.6 bullet point 2 ?????

Policy 1.6. The cumulative impact on dark night skies.

p27Where are the references to internal and external lighting. Major consideration should be given to 'light spill' from large windows/conservatories etc.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

The principles are intended as a positive list of principles for furthering design and are not intended to cover managing the various potential impacts of development. The Local Plan should be read as a whole; avoiding harmful development impacts are covered by other policies in the Local Plan.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0048

**Name:** Andy Stokes

**Organisation:** Buckfastleigh Town Council

**On behalf of:**

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**Rep. Number:** 10

**Local Plan Section:** 1.6.9

**Paragraph/policy** 1.6.9

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

1.6.9 (p26) It is with regret that we see that the government has watered down its commitment to climate change mitigation/reversal. We would welcome any efforts that are within the powers of DNPA towards meeting carbon reduction targets and agree that the emphasis should be on embodied energy and reduction in the first instance.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

Th local plan policy position on climate change related policies is a careful balance taking into consideration various policy alternatives, development viability and national policy. In particular, related to building energy efficiency a full discussion on how the Authority has arrived at this policy position is available in the Reducing CO2 emissions in new development policy research and recommendations paper and the Design and the Built Environment Topic Paper.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0006

**Name:** Phil Baker

**Organisation:** South Hams District Council, West Devon Borough Council & Ply

**On behalf of:**

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**Rep. Number:** 4

**Local Plan Section:** 1.7

**Paragraph/policy** Policy 1.8 (2)

**Is the Local Plan sound?:**

No

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

2.NOISE and AMENITY

POLICY 1.8(2) Protecting Local Amenity in Dartmoor National Park

Not Sound

Not consistent with national policy

Note: this comment focuses on noise in relation to amenity (there are separate comments on the Strategic Policy 2.5(2) protecting tranquillity and dark night skies)

Reason : Policy 1.8 (2) is ambiguous for two reasons, and therefore unclear how the decision maker should respond (ie contrary to Paragraph 16 d) of NPPF which says that plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals).

•First, the wording of policy 1.8(2) clauses are inconsistent with the wording of the Reasoned Justification relating to this policy. RJ paragraph 1.7.2 correctly refers to impacts that include human health and quality of life. But Policy 1.8(2) focuses on health and is silent on "quality of life" aspects. Consequently the policy is also inconsistent with the relevant March 2010 Noise Policy Statement for England – Explanatory Notes in Paragraphs 2.12 – 2.15 and the aims set out in paragraphs 2.22-2.25 which include quality of life. That policy statement is referenced in the latest NPPF (version published in June 2019) where Footnote 60 refers to the Explanatory note to this Policy Statement).

•Second, the draft policy states " c) introduce levels of noise, vibration, lighting, odours, fumes or dust that would adversely affect human health; or d) have an adverse effect on highway safety." The addition of the word "or" at the end of the sentence in clause c could be read to imply that there is a choice between 1.8(2) c or 1.8(2) d. This is incorrect, making the policy inconsistent with NPPF policy 180. At the moment the way this policy is worded, only adverse effects on human health are considered. This is not as wide ranging as NPPF paragraph 180.

NPPF paragraph 180. "Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should: a) mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life<sup>60</sup>; b) identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason; and c) limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.'

CHANGE TO POLICY : Amend Policy 1.8 c) and d) so that the policy intent is fully and clearly set out in the policy, consistent with NPPF. One approach could be to reflect the wording in JLP Policy DEV2.

"Development proposals which will cause unacceptable on- or off-site risk or harm to human

health, the natural environment or living conditions, either individually or cumulatively, will not be permitted. Development should:

1. Avoid harmful environmental impacts and health risks for both new and existing development arising from soil, air, water, land, or noise pollution or land instability.
2. Where located in or impacting on an Air Quality Management Area, avoid or mitigate its impact through positively contributing towards the implementation of measures contained within air quality action plans and transport programmes, and through green infrastructure provision and enhancements, building design and layout which helps minimise air quality impacts.
3. Prevent deterioration of and where appropriate protect, enhance and restore water quality.
4. Limit the impact of light pollution on local amenity, intrinsically dark landscapes and nature conservation.
5. Where appropriate, remediate and mitigate despoiled, degraded, derelict, contaminated and unstable land.
6. Protect soils, safeguarding the long term potential of best and most versatile agricultural land and conserving soil resources.
7. Maintain and where appropriate improve the noise environment in accordance with the Noise Policy Statement for England (including any subsequent updates).
8. Not cause an adverse effect on the integrity of a European Site

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

Modifications are proposed to policy 1.8 (2) - the addition of quality of life is proposed to part c). The connector between parts c) and d) is proposed to be amended to 'and/or'.

**Authority proposed action:**

Modifications are proposed to policy 1.8 (2) - the addition of quality of life is proposed to part c). The connector between parts c) and d) is proposed to be amended to 'and/or'.

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**Respondent Number:** 0131

**Name:** Hazel Jones

**Organisation:**

**On behalf of:**

---

**Rep. Number:** 7

**Local Plan Section:** 1.7

**Paragraph/policy** Policy 1.8(2)

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

p281.7 What about amenity effect on visitors.

1.7.3 add intrusive lighting/light pollution.

Policy 1.8 add intrusive lighting/light pollution

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

Policy 1.8 (2) part c) references the impact of lighting generally on human health. A modification is proposed which ensures these impacts are also considered for their impact on human quality of life, not just human health, further to other representations on the Reg 19 Local Plan.

**Authority proposed action:**

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**Respondent Number:** 0167

**Name:** Julie da Rosa

**Organisation:**

**On behalf of:**

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**Rep. Number:** 1

**Local Plan Section:** 1.7

**Paragraph/policy** Policy 1.8 (2)

**Is the Local Plan sound?:** Yes

**Is the Local Plan legally compliant?:** No

**Is the Local Plan compliant with the duty to co-operate?:**No

**Hearing session(s)?:** No, I do not wish to participate in hearing session(s)

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** No

**Detail of representation:**

I have noticed in the settlement plan for Princetown that there is a play area either proposed or agreed (as I have seen no planning submitted for this) that would appear to be sited right up to our rear boundary. This would considerably impact on all of the properties affected as we had all bought our homes based on the fact that we were afforded the peace and tranquility that we currently enjoy. To place a play area there (which is a flood plain as you likely are aware) is in direct contravention to your policy:

Policy 1.8 (2) Protecting local amenity in Dartmoor National Park Development proposals should not:

- a) significantly reduce the levels of daylight and privacy enjoyed by the occupiers of nearby properties;
- b) have an overbearing and dominant impact;
- c) introduce levels of noise, vibration, lighting, odours, fumes or dust that would adversely affect human health;

- a) our current privacy will be compromised as we would be overlooked
- b) and c) whilst children of course have to play and we do not object to that having children of our own, we would consider a park right up to our boundary to be overbearing and introduce levels of noise not currently enjoyed in our tranquil area. The youths that currently frequent the wooded area near our home make sufficient noise at night to carry to our homes, but for this to be right outside our fence would destroy our privacy.

**Modifications necessary to make the Local Plan compliant:**

"I consider that if you wish to put a play park in that area you amend the area you wish to place it in, bearing in mind that it would appear developers would need to fell trees that are currently home to a lot of birds and used as navigation by bats. There is also a stream to be forded. The area closest to the football pitch that currently has a basketball net and hardstanding could be cleared and properly developed for that purpose. Of course the plans do not show what the play area is to consist of.

These modifications would then ensure compliance as our privacy would not be so compromised, noise levels and overbearing reduced, whilst still allowing the children of Princetown an area to play."

**Authority response:**

There are no plans to construct a playing field within or adjacent to Princetown. In the settlement profile land is identified as being in existing play and outdoor sports use, this is not an indication of future development proposals.

**Authority proposed action:**

None proposed.





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**Respondent Number:** 0131

**Name:** Hazel Jones

**Organisation:**

**On behalf of:**

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**Rep. Number:** 8

**Local Plan Section:** 1.8

**Paragraph/policy** Policy 1.9 (2)

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

p29Impact of night-time lighting on human health

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

Policy 1.8 (2) part c) references the impact of lighting generally on human health. A modification is proposed which ensures these impacts are also considered for their impact on human quality of life, not just human health, further to other representations on the Reg 19 Local Plan.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0131

**Name:** Hazel Jones

**Organisation:**

**On behalf of:**

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**Rep. Number:** 9

**Local Plan Section:** 2 **Paragraph/policy** Strategy

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

p31 para 2 add term 'special qualities'

Mention cumulative development.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

This section covers the Environment specifically and so it would be inappropriate to mention Special Qualities which include non-environmental qualities of the National Park.

Cumulative development is raised in more detailed policy areas, where it is a particular issue for certain development types.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0048

**Name:** Andy Stokes

**Organisation:** Buckfastleigh Town Council

**On behalf of:**

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**Rep. Number:** 1

**Local Plan Section:** 2.1

**Paragraph/policy** Policy 2.1 (2)

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

Biodiversity

Dartmoor 'Special Qualities' and Strategic policy 2.1 'Protecting the character of Dartmoor's landscape'

We are concerned that these goals continue to ensure that the 'distinctive landscape' and the (largely man-made) ecosystems of Dartmoor be frozen in time. Priorities change and the Local Plan might need to reflect that...

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

The strategy is focused on protecting what is special and distinctive about the Dartmoor landscape now, and ensuring these features are protected from harmful development. The Local Plan cannot control farming, forestry or land management practices which largely influence Dartmoor's ecosystems and landscape.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0009

**Name:** Tristan Peat

**Organisation:** Mid Devon District Council

**On behalf of:**

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**Rep. Number:** 2

**Local Plan Section:** 2.1

**Paragraph/policy** Policy 2.1 (2)

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

[LATE COMMENT]

Strategic Policy 2.1 (1) Protecting the character of Dartmoor's Landscape

The overarching aim of the policy is supported, where all development should conserve and/or enhance the character of the Dartmoor landscape. However, the introductory supporting text could benefit from making clear that planning decisions made outside the Dartmoor National Park will be the responsibility of the respective Local Planning Authority. The Dartmoor National Park Authority will be a consultee on such development proposals. Policies S1, S9 and DM27 of the submitted Mid Devon Local Plan Review that is currently being examined include provision for protecting and enhancing valued landscapes and its setting, including the Dartmoor National Park.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0131

**Name:** Hazel Jones

**Organisation:**

**On behalf of:**

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**Rep. Number:** 10

**Local Plan Section:** 2.2

**Paragraph/policy** 2.2.5

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

p332.2.5 Minimise or eliminate 'light spill' in addition to external lighting restrictions. No development should be allowed that impacts on the Parks dark night skies.

p34Where are the reference documents for this policy?

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

These ambitions are pursued within Policy 2.5 (2).

Key reference documents are linked to in the policy preamble. Other background evidence and research is available on our website.

**Authority proposed action:**

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**Respondent Number:** 0181

**Name:** Chris and Sarah Cottingham

**Organisation:**

**On behalf of:**

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**Rep. Number:** 1

**Local Plan Section:** 2.2

**Paragraph/policy** Strategic Policy 2.1(2)

**Is the Local Plan sound?:** Yes

**Is the Local Plan legally compliant?:** No

**Is the Local Plan compliant with the duty to co-operate?:** Yes

**Hearing session(s)?:** No, I do not wish to participate in hearing session(s)

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** No

**Detail of representation:**

Having looked at the future plans for Princetown we noticed that another playing field was to be installed on an area of scrubland, at the bottom of our garden. We do not see how this will be a practical use of the land, as there is already a play field in Princetown. Also it will not only disrupt us but also the wildlife living in and around that area. We do not see why it cannot be left as it is, as the area is not an eyesore, unlike the garages on our cul de sac!

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

There are no plans to construct a playing field within or adjacent to Princetown. In the settlement profile land is identified as being in existing play and outdoor sports use, this is not an indication of future development proposals.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0198

**Name:** Christopher Tofts

**Organisation:** Stephens Scown LLP

**On behalf of:** Imerys Minerals Limited

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**Rep. Number:** 4

**Local Plan Section:** 2.2

**Paragraph/policy** 2.2.6

**Is the Local Plan sound?:** No

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:** Yes

**Why?** So as to ensure that the Local Plan's policies (and supporting text) relating to minerals development is appropriate.

**Did respondent comment on Reg 18 Local Plan?:** No

**Detail of representation:**

The "Examples of development close to the National Park which can have an adverse impact on its setting"... are not helpful. Each case should be considered on its own merits rather than applying a broad brush approach at this stage. Not only the development itself, but the location of the development and the existing state of the land all contribute to a determination as to whether there is an adverse impact on setting.

The Glossary definition of 'small-scale' (and by implication the definition of large-scale does not make any reference to the effect on the NPA, but only on size. (Please read together with Additional Comment (2))

**Modifications necessary to make the Local Plan compliant:**

Delete the final sentence and the bullet points in para 2.2.6 – or replace with a qualitative approach.

**Authority response:**

The examples are useful as examples, they are not definitive and by mentioning them it does not preclude other development types being found to have an impact.

**Authority proposed action:**

None proposed



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**Respondent Number:** 0130

**Name:** Emma James

**Organisation:** Okehampton Town Council

**On behalf of:**

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**Rep. Number:** 8

**Local Plan Section:** 2.2

**Paragraph/policy** 2.2.6

**Is the Local Plan sound?:** Yes

**Is the Local Plan legally compliant?:** No

**Is the Local Plan compliant with the duty to co-operate?:** Yes

**Hearing session(s)?:** No, I do not wish to participate in hearing session(s)

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

Page 33 2.2.6 Landscape Setting

The council agree with the points regarding residential or industrial development in the land surrounding DNP.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

**Authority proposed action:**

None proposed

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**Respondent Number:** 0213

**Name:** Tim Kellett

**Organisation:** Ancient Tree Forum

**On behalf of:**

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**Rep. Number:** 1

**Local Plan Section:** 2.2

**Paragraph/policy** Policy 2.2 (2)

**Is the Local Plan sound?:** No

**Is the Local Plan legally compliant?:** No

**Is the Local Plan compliant with the duty to co-operate?:**No

**Hearing session(s)?:** No, I do not wish to participate in hearing session(s)

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** No

**Detail of representation:**

[LATE COMMENT]

This response is related to strategic policy 2.2 (2) and the protection of Ancient and Veteran Trees which has been increased in the latest NPPF 2018 and not reflected in the current draft. Firstly: The draft sets out Dartmoor Priority Habitats listed in table 2 - the words "Parkland and aged and veteran trees" - should be changed to "Parkland and ancient and veteran trees" to reflect the current understanding of the words and definitions in the NPPF. Secondly: For developments to be approved that affect these habitats para 3(d) states - the development must result in benefits which significantly outweigh its adverse impact on the site; This is clearly not the same as the current NPPF policy 175c) "development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons ..." The NPPF footnote says "For example, infrastructure projects (including nationally significant infrastructure projects, orders under the Transport and Works Act and hybrid bills), where the public benefit would clearly outweigh the loss or deterioration of habitat". The definition of wholly exceptional in the NPPF conveys significantly more protection to those natural assets than the "benefits which significantly outweigh" in the Dartmoor Policy - which could easily be interpreted in the local context and scale. The strengthening of the later NPPF policy regarding protection for Ancient trees, veteran trees and ancient woodland has not been reflected in the current local plan draft. Thirdly: para 3e states "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. There is no explanation, or glossary definition of "non-functional size"? Please note : The Ancient Tree Forum (ATF) is a charity which has pioneered the conservation of ancient and veteran trees and is the main UK organisation concerned solely with their conservation. The ATF seeks to secure the long-term future of ancient trees through advocacy of no further avoidable loss, good management, the development of a succession of future ancient trees, and seeking to raise awareness and understanding of their value and importance. The ATF has been involved in consultations and contributions to the NPPF 2018 working alongside partners The Woodland Trust and Natural England.

**Modifications necessary to make the Local Plan compliant:**

As above Change the word aged tree to ancient tree. Change the policy wording 2.2 (2) to include a new clause 3f for protection of ancient trees veteran trees and ancient woodland as stated in NPPF 175(c).

**Authority response:**

Veteran trees are referred to in Table 2.1, these are defined by the Ancient Tree Forum as a tree which shows ancient characteristics and by definition includes all ancient trees . Whilst the policy therefore includes ancient trees, a Modification is proposed to Table 2.1 for clarity.

**Authority proposed action:**

Table 2.1 is amended to read: 'Parkland and aged, veteran and ancient trees'.



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**Respondent Number:** 0029

**Name:** John Willis

**Organisation:**

**On behalf of:**

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**Rep. Number:** 5

**Local Plan Section:** 2.2 **Paragraph/policy**

**Is the Local Plan sound?:** No

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:** Yes, I wish to participate in hearing session(s)

**Why?** A chance to discuss our proposed project

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

Given the importance of Dartmoor's soils for the sequestration and storing of carbon, I think there should be much more about this in the Plan.

Closely linked to this I notice that the plan does not mention rewilding at all. Again, with the natural world as a key ally in both mitigating and adapting to climate change, it would surely be good to have direct support in the plan for rewilding initiatives.

Moretonhampstead Development Trust plans to work with the Farming and Wildlife Advisory Group to develop a Silvopasture project which could encourage biodiversity as well as store carbon and reduce erosion, while maintaining food supply.

**Modifications necessary to make the Local Plan compliant:**

2.4 should have specific additions to encourage tree planting on a variety of sites, as long as they encourage biodiversity and are attractive in various ways.

**Authority response:**

As set out in 'About the Local Plan', the Local Plan's policies set out where development can take place. The Local Plan cannot control things which are not development, such as vegetation cover or land management.

**Authority proposed action:**

None proposed

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**Respondent Number:** 0200

**Name:** Tony Whitehead

**Organisation:**

**On behalf of:**

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**Rep. Number:** 5

**Local Plan Section:** 2.3

**Paragraph/policy** 2.3

**Is the Local Plan sound?:** No

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** No

**Detail of representation:**

The only direct mention of carbon sequestration in the report is in policy 2.3. Given the existing and potential importance of Dartmoor's soils for sequestering and storing carbon, and the increasing emphasis on "Natural Climate Solutions" it would be good to see greater mention of this in the report, and some specific policies and and guidance.

Closely linked to this I notice that the plan does not mention rewilding at all. Again, with the natural world as a key ally in both mitigating and adapting to climate change, it would surely be good to have direct support in the plan for rewilding initiatives.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

As set out in 'About the Local Plan', the Local Plan's policies set out where development can taken place. The Local Plan cannot control things which are not development, such as vegetation cover or land management.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0048

**Name:** Andy Stokes

**Organisation:** Buckfastleigh Town Council

**On behalf of:**

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**Rep. Number:** 2

**Local Plan Section:** 2.3

**Paragraph/policy** 2.3.18

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

2.3 (p35) 2.3.18 (p40) Biodiversity Enhancement

As stated, the Government's 25 Year Environment Plan "...reflects agreements to take urgent and effective action to halt alarming global and national declines in biodiversity".

With, for example, the loss of 75% of flying insects over the last 30 years and 130 bird species fallen by 90% since 1970, it is increasingly clear that we have a duty to safeguard the natural environment for future generations. The National Parks can be seen as the last havens of wildlife in this over-crowded country where man has increasingly wiped out any living organisms.

The National Park Authorities also have powers to enable them to act, in a way that is almost unique, to put the environment first. It is, therefore, we believe, incumbent on the National Park to expand its role in the promotion of biodiversity.

Moorland areas that have been deforested and denuded by sheep and swaling are not areas of high biodiversity and in some of these, biodiversity could be enhanced. There is room for many habitats within the park boundary. The role of DNPA, in our opinion, should shift to emphasising developing Dartmoor as a Centre of Excellence for biodiversity over preserving the current landscape and ecosystems. This might mean allowing and promoting more environmental diversity – for instance allowing the growth and expansion of woodlands and assisting the re-population of flora and fauna.

It is a mistake in our view to overly tie the DNPA into a role of preservation – of conserving sometimes barren landscapes at the expense of its other goal – to enhance environment and biodiversity. This is an increasingly urgent and essential role.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

The Local Plan only controls development and cannot control the use of land for farming or forestry, or general land management practices which may impact upon ecosystems and biodiversity. New policies in the plan, such as biodiversity net gain, go further to ensure that development makes a proportionate contribution towards habitat and ecosystem enhancement. However it is not possible for the planning system to control land management more generally. Change in land management practices is predominantly achieved through incentives and the agricultural and forestry subsidy system.

**Authority proposed action:**

None proposed



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**Respondent Number:** 0195

**Name:** Peter Crone

**Organisation:** South Dartmoor Community Energy Limited

**On behalf of:**

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**Rep. Number:** 3

**Local Plan Section:** 2.3 **Paragraph/policy**

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** No

**Detail of representation:**

6. Optimise the Biodiversity 6.1 The word biodiversity is used 80 times in the draft local plan and it is used 14 times in the management plan but it rarely occurs in association with references to the national park's 'special qualities' a descriptor that is used 69 times in the draft plan. 6.2 It would seem that it is used mostly to justify activity that the park is already engaged in but that augmenting or increasing biodiversity, not to mention optimising it, in order to slow down or reverse the Extinction Crisis even on a local scale is apparently not seen as part of the National Park's purpose. 6.3 Perhaps this is why the International Union for Conservation of Nature (IUCN) which categorises national protected areas around the world puts the UK national parks not in category Ia – Strict Nature Reserves; or Ib - Wilderness Areas; or even II – National Parks but in category V – Protected Landscape/Seascape areas. 6.4 In the UK we do not have any large areas that are protected specifically for optimising wildlife value or biodiversity. The RSPB with their national network of reserves are probably the exemplar body but as they freely admit "We base our work on good analysis of the threats facing birds and the environment." they concentrate on birds.

6.5 SDCE believes that preserving and preferably enhancing and ultimately optimising biodiversity is an issue of Overriding Public Interest. 6.6 Insect populations worldwide are plummeting<sup>15</sup> threatening a ".....catastrophic collapse of nature's ecosystem." More than 40% of insect species are declining and a third are endangered, the analysis found. The rate of extinction is eight times faster than that of mammals, birds and reptiles. The total mass of insects is falling by a precipitous 2.5% a year, according to the best data available, suggesting they could vanish within a century. 6.7 Insect biomass is 17 times greater than total human biomass and they form the base of so many of the food chains essential to vertebrate animals, ourselves included. 6.8 SDCE would like to pose the question – If it is not our National Parks that have the responsibility for conserving and enhancing Britain's biodiversity, then who should be doing it? And if the answer is no one then we believe that is an act of gross dereliction of the duty of care on the part of our nation.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

The Local Plan introduces an innovative biodiversity net gain policy (policy 2.3 (2)) to ensure biodiversity is better accounted for and enhanced alongside development of all scales. The Natural Environment Topic Paper discusses the background to DNPA's policy approach.

**Authority proposed action:**

None proposed.





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**Respondent Number:** 0049

**Name:** Mike Deaton

**Organisation:** Devon County Council

**On behalf of:**

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**Rep. Number:** 4

**Local Plan Section:** 2.3

**Paragraph/policy** Policy 2.2 (2)

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

On and off-site mitigation measures can sometimes have negative impacts on landscape character and the historic environment. The plan should ensure that these impacts are considered in the context of wider development impact as a whole.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

Paragraph 2.3.29 states: 'Proposed enhancement (on-site or off-site) which would conflict with local conservation or land management objectives will not be accepted'. We believe this satisfies this representation.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0049

**Name:** Mike Deaton

**Organisation:** Devon County Council

**On behalf of:**

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**Rep. Number:** 3

**Local Plan Section:** 2.3 **Paragraph/policy**

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

The NPPF defines Green Infrastructure as having multi-purpose environmental outcomes/benefits. This does not appear to be mentioned directly in the Plan. It would be helpful to mention the potential to both conserve and enhance access to aspects of the NP's heritage by seeking to incorporate heritage assets within green infrastructure. The historic environment is also receiving increasing attention for the contribution that access to it can make to the physical and mental wellbeing agenda. These linkages could be brought out more strongly.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

DNPA have made the decision to split out the component parts of green infrastructure, as this better reflects and is consistent with National Park purposes. Most notably ensuring there is a distinction between recreation and environmental enhancement, consistent with the Sandford Principle.

Access to the historic environment is considered to be part of what is considered to be 'public benefits' which is an important component of the historic environment policy. 'Public benefits' incorporates a broader range of benefits than just access, but it is inclusive of access. 'Public benefits' is defined in the glossary.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0006

**Name:** Phil Baker

**Organisation:** South Hams District Council, West Devon Borough Council & Ply

**On behalf of:**

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**Rep. Number:** 3

**Local Plan Section:** 2.3

**Paragraph/policy** Policy 2.3 (2)

**Is the Local Plan sound?:**

No

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

Strategic Policy 2.3 (2) Biodiversity Net Gain

Not sound

Test of Soundness:

Not consistent with national policy - Specifically:

•NPPF paragraph 170 d) – planning policies should contribute to and enhance the natural and local environment by...

d)‘Minimising impacts on and providing net gains for biodiversity....’

•NPPF Paragraph 16d) ie...Plans should... ‘contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals’

Reason : Part 1 of Policy 2.3 (2) in Regulation 19 draft Plan, as written would mean that policy 2.3 (2) applies only where there is potential loss of unprotected habitat. This is also indicated in Reasoned Justification paragraph 2.3.24. The JLP Councils’ concern is that this policy intention is not consistent with national policy - notably NPPF paragraph 170 d). It’s not just development that impacts biodiversity which will be required to contribute towards biodiversity enhancement. All development (regardless of impact) should contribute towards biodiversity enhancement. Clause 1 as written is also potentially inconsistent with parts 2 and 3 which, as written, are not limited to development with the potential to impact on biodiversity.

CHANGE TO POLICY At the start of part 1 in Strategic Policy 2.3 (2) Delete ‘Development with the potential to impact on biodiversity will be required to contribute towards biodiversity enhancement’ and Replace with ‘New development will be required to contribute towards biodiversity enhancement’. The amended part 1 would then be read together with and be consistent with parts 2, 3 and 4 of this policy.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

This is noted and a modification proposed to 2.3.24 to ensure the approach is used for protected and unprotected habitat.

**Authority proposed action:**

This is noted and a modification proposed to 2.3.24 to ensure the approach is used for protected and unprotected habitat.



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**Respondent Number:** 0006

**Name:** Phil Baker

**Organisation:** South Hams District Council, West Devon Borough Council & Ply

**On behalf of:**

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**Rep. Number:** 2

**Local Plan Section:** 2.3

**Paragraph/policy** Policy 2.2 (2)

**Is the Local Plan sound?:**

No

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

STRATEGIC POLICY 2.2 (2) Conserving and enhancing Dartmoor's biodiversity and geodiversity : part 3a)iii)

Not sound

Test of Soundness:

Not consistent with national policy (specifically NPPF Paragraph 16d) ie...Plans should... contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals)

Reason: The policy states that 'Where adequate on-site mitigation measures are not possible, provide off-site compensatory measures'. Whilst this sentence might be appropriate for some conservation designations, the JLP Councils consider that it is not appropriate for European designated sites. The correct tests for European sites are detailed in part 3b of this policy. However, the way the policy is written it looks like 3a applies equally to European sites which is incorrect. The application of compensation for European sites only coming after IROPI test as per 3b.

CHANGE TO POLICY

Need to establish the clear hierarchy of sites, protection and tests afforded to them and separate out the levels in the hierarchy as the tests aren't the same for each level of the hierarchy.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

The policy is considered sound, however a Modification is proposed which clarifies and helps understanding.

**Authority proposed action:**

A Modification is proposed to policy 2.2 (2) which clarifies and helps understanding.

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**Respondent Number:** 0048

**Name:** Andy Stokes

**Organisation:** Buckfastleigh Town Council

**On behalf of:**

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**Rep. Number:** 5

**Local Plan Section:** 2.3

**Paragraph/policy** 2.3.22

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

2.3.22 (p41) How are financial contributions calculated? What is the value of an ancient oak, for instance? What assessment, ring-fencing and management mechanisms are in place to ensure that these contributions are invested in significant enhancements in the local area?

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

The detail of this policy is still emerging nationally and detailed payment schedules are not currently available. DNPA intends to produce a Biodiversity SPD to clarify these matters once the policy is adopted. Financial contributions will be set at a price that is equivalent to the cost of delivering and maintaining the enhancement.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0165

**Name:** Stephen Sterling

**Organisation:** Ashburton Climate Emergency (ACE)

**On behalf of:**

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**Rep. Number:** 8

**Local Plan Section:** 2.3

**Paragraph/policy** Policy 2.3 (2)

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** No

**Detail of representation:**

The inclusion of this policy is very much welcomed. This is an emerging area which is yet to be legislated for nationally, or fully tested in practice. Attention needs to be paid to how the biodiversity enhancements provided by new development will be maintained into the future. It is unclear how this policy will be enforced.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

**Authority proposed action:**

None proposed.



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**Respondent Number:** 0058

**Name:** Marcus Salmon

**Organisation:** Environment Agency

**On behalf of:**

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**Rep. Number:** 5

**Local Plan Section:** 2.3

**Paragraph/policy** Policy 2.2 (2)

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

Section 2 – Environment

We support the overall strategy for the environment set out in the plan. We are pleased to see that here, with regard to climate change, the strategy refers both to minimising impacts on climate and adapting to it. However, we consider that the strategy should also include reference to the water environment, reflecting the special qualities of the Moor and the fact that the environment section now includes a water environment specific sub-section.

In terms of risks to habitats and species we recommend that paragraph 2.3.6 also notes the risks from the impacts of climate change. Some habitats may, for example, not be sufficiently resilient to deal with prolonged dry weather incidents.

We welcome the insertion of new text in paragraph 2.3.16 addressing water quality and drainage issues in relation to priority habitats and species.

We recommend that the approach to mitigation set out in paragraph 2.3.18 and Policy 2.2 is clarified so that it is not in conflict with Policy 2.3 regarding Net Gain. Whilst Policy 2.3 sets out the requirements in terms of net gain for development, Policy 2.2 part 3a iii) implies that a net gain in biodiversity will only be sought where on-site mitigation measures are not possible.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

A modification is proposed to note risk from the impacts of climate change in paragraph 2.3.6.

A modification is proposed to ensure mitigation of biodiversity under the hierarchy in paragraph 2.3.18 results in net gain of biodiversity.

**Authority proposed action:**

A modification is proposed to note risk from the impacts of climate change in paragraph 2.3.6.

A modification is proposed to paragraph 2.3.18 to ensure mitigation of biodiversity under the hierarchy results in net gain of biodiversity.



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**Respondent Number:** 0058

**Name:** Marcus Salmon

**Organisation:** Environment Agency

**On behalf of:**

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**Rep. Number:** 6

**Local Plan Section:** 2.3

**Paragraph/policy** Policy 2.3 (2)

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

We support the changes to the sub-section relating to Biodiversity Net Gain (paragraphs 2.3.23 to 2.3.31) and its subsequent policy (policy 2.3). We especially welcome the new part 1 of this policy which acknowledges the wider environmental net gains that could be achieved through the realisation of biodiversity enhancements.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0059

**Name:** David Kiernan

**Organisation:** Teignbridge District Council

**On behalf of:**

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**Rep. Number:** 1

**Local Plan Section:** 2.3

**Paragraph/policy** Policy 2.2 (2)

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

Teignbridge welcomes the opportunity to comment on the final draft version of the Dartmoor Local Plan and is pleased to see that many of the representations made on the Regulation 18 consultation have been taken into account and reflected in the revised draft.

Chapter 2 - Environment

2.3 Biodiversity & Geodiversity / South Hams SAC / 2.3.9 - 11

Consideration should be given to a specific policy for the South Hams SAC, based on the recently adopted Greater Horseshoe Bats HRA Guidance.

Whilst this is referenced in the supporting text there is no detail within policy relating to the Landscape Connectivity Zone, or other important related components.

It does represent a cross boundary issue with the greater horseshoe bat population spanning multiple administrative areas. The approach agreed by the partner authorities in the Guidance needs to be implemented in policy to give it the necessary weight to enforce. Teignbridge will be doing this in the forthcoming Draft Local Plan Part 1.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

DNPA do not believe that a specific policy is necessary to implement the guidance. The protection provided to the SH SAC in guidance is consistent with national and Local Plan policy and the guidance provides clarity in how this should be delivered in relation to the SH SAC. Local Plan paragraph 2.3.9 to 2.3.11 clarifies this.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0046

**Name:** Corine Dyke

**Organisation:** Natural England

**On behalf of:**

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**Rep. Number:** 1

**Local Plan Section:** 2.3

**Paragraph/policy** Polict 2.2 (2)

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

Strategic policy 2.2 (2) Conserving and enhancing Dartmoor's biodiversity and geodiversity Clause (1). This policy should be strengthened to require that development conserves and enhances (instead of conserves and/or enhances) Dartmoor's biodiversity and geodiversity, in accordance with paragraph 170 of the National Planning Policy Framework (NPPF). The same applies to some individual policies, such as policy 3.12 (f) – Low Impact Residential Development. We also advise that "no net loss" be replaced with "net gain for biodiversity" to reflect the NPPF para 170 (d).

Clause (2) and (3). We note that the mitigation hierarchy as set out in NPPF paragraph 175 a) is applied to designated sites, but the policy does not apply the hierarchy to all biodiversity in the plan area. We advise that the policy makes clear that the mitigation hierarchy in 3.a) applies everywhere.

Clause 3(b). We suggest that Policy wording or Plan text clarifies what constitutes "international protected sites" as set out in the NPPF para 176. These include "potential Special Protection Areas (SPAs), possible SACs, listed or proposed RAMSAR sites and sites identified, or required, as compensatory measures for adverse effects on habitats sites, potential Special Protection Areas, possible Special Areas of Conservation, and listed or proposed Ramsar sites".

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

With regards Policy 2.2 (2) part 1 'Conserve and/or enhance' was stated in error and is not consistent with the Track Changes version of the plan, a Modification is proposed to change this to 'conserve and enhance' and remove reference to no net loss. Not all development is required to deliver net gain (e.g. householder and small-scale development is only required to contribute towards enhancement), therefore it is not considered the policy should require net gain from all development.

It would not be appropriate policy 3.12 (2) to adopt the 'conserve and enhance' language as this refers to National Park special Qualities more generally, not just biodiversity. Net gain is not a requirement for impacts on the Special Qualities generally, and conservation is acceptable in the case of many Special Qualities, e.g. landscape character.

A modification is proposed to clarify the mitigation hierarchy applies to all Dartmoor's biodiversity

A modification is proposed to clarify that international sites includes potential SACs/SPAs and listed and proposed RAMSAR sites, although none of these sites occur in the National Park.

**Authority proposed action:**

The following modifications are proposed:

- to amend part 1 of policy 2.2 (2) to read 'conserve and enhance' and remove reference to no net loss
- to amend part 1 of policy 2.2 (2) to clarify the mitigation hierarchy applies to all Dartmoor's biodiversity
- to amend para 2.3.4 to clarify that international sites includes potential SACs/SPAs and listed and proposed RAMSAR sites

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**Respondent Number:** 0082

**Name:** Catherine Brabner-Evans

**Organisation:** Woodland Trust

**On behalf of:**

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**Rep. Number:** 2

**Local Plan Section:** 2.3 **Paragraph/policy** Strategic Policy 2.2 (2) and Strategic Policy 2.

**Is the Local Plan sound?:** Yes

**Is the Local Plan legally compliant?:** Yes

**Is the Local Plan compliant with the duty to co-operate?:** Yes

**Hearing session(s)?:** No, I do not wish to participate in hearing session(s)

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

As the UK's leading woodland conservation charity, the Woodland Trust's vision is for a UK rich in native woods and trees, for people and wildlife. We work to protect, restore and create native woods, trees and their wildlife for the future. We manage over 1,250 sites, including over 200 sites in the South West, and have 500,000 members and supporters.

We support the policies at 2.2 and 2.3 which translate NPPF and new net gain requirements into a clear and locally appropriate framework. We welcome the separation of protection (2.2) from the net gain principle and appropriate compensation at 2.3 which provides a clear order of application in line with the mitigation hierarchy.

We support that protection and enhancement of connectivity in natural networks (through core areas, corridors and stepping stones, restoration areas, and buffer zones) is embedded in policy 2.2, and in particular 2.2.3e which provides protection "the integrity of the local natural network", which is key for ecosystem function but not otherwise protected in designations.

NPPF para 175c states, "Development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists".

We strongly support that ancient woodland, parkland and aged and veteran trees, traditional orchards, upland oakwood and wet woodland are identified as priority habitats afforded protection under policy 2.2.3d. We welcome that more recent as well as ancient wooded habitats are protected in this way. However, we are concerned that the wording at policy 2.2.3e "of non-functional size" weakens protection for ancient and veteran trees without clarification of the definition of "non-functional size".

We would like explicit protection of irreplaceable habitats (including ancient woodland and ancient and veteran trees) that is not open to interpretation. We suggest clarity at 2.3.20 as to which (currently worded as "many of") priority habitats listed at Table 2.1 are irreplaceable for the purposes of interpretation of NPPF para 175c, and for this to be referenced in the policy wording. For example: "Irreplaceable habitats, including ancient woodland and ancient and veteran trees (ref NPPF para 175c) are not suitable for off-site compensation."

We note there is no explicit policy regarding appropriate Root Protection Area (RPA) distances. Especially for ancient and veteran trees, where a more precautionary approach is warranted, we advise that RPA distances should be greater than the standard buffers stated in BS 5837:2012. The RPA should be a minimum of 15 times the diameter of the tree trunk or five metres beyond the canopy, whichever is greater.

Especially given the small scale nature of development on Dartmoor, biodiversity net gain should be mandatory for all development, not only those specified at 2.3.25.

Overall, we find that the Local Plan provides protections for Dartmoor's wooded habitats, consistent both with the NPPF and with the legal purpose of National Parks to conserve and enhance the natural beauty, wildlife and cultural heritage of the area, although these should be strengthened per the comments above. We welcome that Dartmoor's wooded habitats are reflected in the special qualities and vision.

As owners of a number of woodlands in the Dartmoor National Park, the Woodland Trust is keen to work proactively and constructively with Dartmoor National Park Authority to help drive nature recovery on the landscape-scale across and beyond Dartmoor, in line with the Park's legal purpose. We look forward to ongoing collaboration to this end.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

All habitats in Table 2.1 are given the same protection as irreplaceable habitats in the NPPF, except where they are of 'non-functional size'. This term was not defined intentionally to allow for professional interpretation. However, in hindsight this could be misinterpreted as allowing for loss of a small piece of irreplaceable habitat, such as an ancient tree, which wouldn't affect the wider network. A Modification to Part 3 e) is proposed to clarify irreplaceable habitats are exempt from the exceptional circumstances in e).

The approach proposed for biodiversity net gain is considered proportionate and appropriate. Given net gain can only be assured by using Natural England's metric, it is very difficult to apply this on very minor applications and is not considered proportionate.

The authority are intending to issue a biodiversity supplementary planning document in which RPAs can be clarified. Whilst an important feature of development design they are not considered a necessary component of planning policy

**Authority proposed action:**

A Modification to Part 3 e) is proposed to clarify irreplaceable habitats are exempt from the exceptional circumstances in e).



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**Respondent Number:** 0022

**Name:** Phil Hutt

**Organisation:** Dartmoor Preservation Association

**On behalf of:**

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**Rep. Number:** 3

**Local Plan Section:** 2.3 **Paragraph/policy** Strategic Policy 2.2 (2)

**Is the Local Plan sound?:** No

**Is the Local Plan legally compliant?:** No

**Is the Local Plan compliant with the duty to co-operate?:** Yes

**Hearing session(s)?:** Yes, I wish to participate in hearing session(s)

**Why?** The DPA has been campaigning to protect and enhance Dartmoor for over 130 years. Our members and others on Dartmoor rely upon us to continue to do so and to act as a voice to oppose inappropriate development in the National Park. If we are to continue to do this, it will be important for us to provide them with authoritative information on the rationale for decisions about the Local Plan discussed in hearing sessions, and the support or otherwise it receives from Authority members.

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

This policy explicitly allows developments which will have adverse impacts upon " a) internationally, nationally or locally designated biodiversity and geodiversity sites; and/or b) Dartmoor's priority habitats and species... " It also sets out a hierarchy which provides for mitigating impacts or providing off-site compensatory measures or other benefits.

I believe that allowing development in breach of international protection measures is illegal, as evidenced by European legal action against the UK in relation to the burning of blanket bog in Special Areas of Conservation (SACs) in northern England for grouse shooting.

I believe that this is far from being the most appropriate strategy when considered against the reasonable alternative of NOT allowing any development which would cause this sort of damage to biodiversity or geodiversity. With an Authority motivated to finding ways of making up a perceived shortfall in government funding, this mitigation/compensation policy will quickly become the default position for developers wishing to build on prime landscapes in the national park. By definition, this will contravene the sustainability provisions of the Local Plan (policies 1.1 through 1.3).

Further, the track record of the DNPA in negotiating S.106 agreements and Viability Assessments in relation to housing developments would suggest that it is not equipped to agree suitable compensation measures.

As Chief Executive of the Dartmoor Preservation Association, I have discussed the above view with our Trustees - the Association's governing body - and my intention of making this response has been recorded in the minutes of their meeting in October 2019. The Association has over 1400 members and it has not been possible to approach them all, for Data Protection reasons. However, their response to the recent appalling planning decision by the DNPA to allow a telecoms mast to disfigure Newbridge Hill, suggests that many of them will support the above position.

**Modifications necessary to make the Local Plan compliant:**

This policy should be re-written to state, at the end of paragraph 2, that development proposals which have an adverse impact upon the sites, habitats and species defined in 2 (a) and (b) should NEVER be allowed.

**Authority response:**

National policy requires DNPA to take into consideration developer viability when determining proposals. This is necessary to ensure that development is viable in the National Park and the Local Plan's housing delivery objectives are met.

Viability appraisals are made publically available together with other application documents.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0131

**Name:** Hazel Jones

**Organisation:**

**On behalf of:**

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**Rep. Number:** 12

**Local Plan Section:** 2.3

**Paragraph/policy** Policy 2.3 (2)

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

p42What offsets could you include for lighting?

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

There is no established policy framework for offsetting the impacts of lighting.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0046

**Name:** Corine Dyke

**Organisation:** Natural England

**On behalf of:**

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**Rep. Number:** 2

**Local Plan Section:** 2.3

**Paragraph/policy** Policy 2.3 (2)

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

Strategic policy 2.3 (2) Biodiversity Net Gain We welcome the inclusion of a policy to address Net Gain & biodiversity enhancement but advise that it should require that all new development, regardless of whether or not it has a direct adverse impact on biodiversity, should make a contribution to enhancement/provide for net gain. We advise that the words "with the potential to impact in biodiversity" are deleted from the policy.

We note that the policy 2.2 (3) sets out an indicative and net gain requirement for small scale development (Tables 2.2 and 2.3). We recognise the benefit in seeking to provide clarity on what would be considered proportionate net gain for small scale development. We also draw your attention to the Government's emerging approach the Environment Bill which introduces a mandatory requirement for all developments under the Town and Country Planning Act (TCPA) to achieve a minimum 10% biodiversity net gain as measured by the biodiversity metric which is to be maintained for a minimum of 30 years post-development. To ensure monitoring of biodiversity net gain on allocated sites reflects the existing (i.e. current) biodiversity value of the site we advise that the following indicator is added as a monitoring indicator for the environment in Appendix A – Monitoring: "Existing biodiversity assets within site allocations."

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

The Environment Bill is currently in draft and has not received Royal assent. Requiring all development to achieve net gain is problematic as sites may not have the scope to deliver, the metric doesn't recognise a biodiversity value in a sealed surface, and it will not always be proportionate to minor proposals (e.g. change of use to 1st floor flat). DNPA's policy approach does not require all development to achieve net gain, development below the threshold is only required to make a 'proportionate contribution to biodiversity enhancement', this is not equivalent to net gain as defined by the Natural England metric. Development is also only required to deliver net gain where it has an impact on biodiversity, ensuring a proportionate approach which doesn't unnecessarily burden minor development, such as changes of use.

**Authority proposed action:**

None proposed.



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**Respondent Number:** 0048

**Name:** Andy Stokes

**Organisation:** Buckfastleigh Town Council

**On behalf of:**

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**Rep. Number:** 4

**Local Plan Section:** 2.3

**Paragraph/policy** 2.3.20

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

2.3.20 (p40) Surely all development of any green field site (and in many cases brown-field sites), will 'impact on biodiversity' and therefore should offer biodiversity enhancements?

There is a real risk that these 'enhancements' are merely window-dressing, for instance can DNPA put tree preservation orders on trees planted as enhancements to prevent them being chopped down as soon as they reach maturity? This has happened in local developments in Buckfastleigh resulting in a net loss in biodiversity.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

The biodiversity net gain policy 2.3 (2) seeks to achieves biodiversity net gain where any loss of habitat is proposed, including unprotected habitat (such as improved grasslands) which have not previously been accounted for in the planning system. The policy is being pursued in accordance with Natural England's biodiversity metric and the emerging national policy. Biodiversity enhancements will be secured in perpetuity.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0131

**Name:** Hazel Jones

**Organisation:**

**On behalf of:**

---

**Rep. Number:** 11

**Local Plan Section:** 2.3

**Paragraph/policy** Policy 2.2 (2)

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

p352.3.3 should consider within as well as between corridors

p362.3.6Bullet 5 nocturnal and diurnal fauna (again!)

2.3.9 protect roost links to the foraging areas.

p38Should include section of support text for light and dark sky quality.

p40Strategic policy 2.2 point 2 – excellent 'alone or in combination' should be considered in other policies.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

2.3.3 - The definition of a nature corridor is a habitat within which species can move freely.

2.3.6 - Noted, amendment proposed. For clarification this was included in the track changes version of the Reg 19 plan further to representations at Reg 18, unfortunately these amendments were not inserted into the designed version of the plan.

2.3.9 'roost links' would be considered 'commuting routes' as mentioned in this section

P38 this is addressed in policy 2.5 (2)

**Authority proposed action:**

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**Respondent Number:** 0130

**Name:** Emma James

**Organisation:** Okehampton Town Council

**On behalf of:**

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**Rep. Number:** 9

**Local Plan Section:** 2.3

**Paragraph/policy** 2.3.15

**Is the Local Plan sound?:** Yes

**Is the Local Plan legally compliant?:** No

**Is the Local Plan compliant with the duty to co-operate?:** Yes

**Hearing session(s)?:** No, I do not wish to participate in hearing session(s)

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

Page 38

2.3.15 & 2.3.17

The council identifies the pressure of the increase of the population as well as the visitor numbers. Sustainable transport infrastructure would help to maintain the air and water quality.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

**Authority proposed action:**

None proposed



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**Respondent Number:** 0058

**Name:** Marcus Salmon

**Organisation:** Environment Agency

**On behalf of:**

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**Rep. Number:** 7

**Local Plan Section:** 2.4

**Paragraph/policy** Policy 2.4 (2)

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

We recommend that section 2.4 (Dartmoor's moorland, heathland and woodland) acknowledges the crucial role these habitat features play, especially woodlands, in flood management and protection of water quality. The health of soils is equally as important.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

Acknowledged, but this criteria is not directly related to the reason for which areas of conservation of importance are designated as set out in the Wildlife and Countryside Act 1985, i.e. their natural beauty, and should not therefore form part of the policy's reasoned justification.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0186

**Name:** Karen Gilbert

**Organisation:** Noth Bovey Parish Council

**On behalf of:**

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**Rep. Number:** 1

**Local Plan Section:** 2.5 **Paragraph/policy**

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** No

**Detail of representation:**

North Bovey Parish Council met on Tuesday 8th October and a response to yourselves regarding the DNPA Local Plan from the North Bovey Conservation Group - Dark Skies Team , was read out

North Bovey PC wishes you to note that it SUPPORTS this response and agrees with the comments made

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

Comments addressed in other comment.

**Authority proposed action:**

None proposed

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**Respondent Number:** 0131

**Name:** Hazel Jones

**Organisation:**

**On behalf of:**

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**Rep. Number:** 13

**Local Plan Section:** 2.5

**Paragraph/policy** Policy 2.5 (2)

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

p442.5.3 Add closer towns – Okehampton, Bovey Tracey, Tavistock, Ivybridge.

2.5.5 Add 'light spill' from windows conservatories etc. This is a major contributor to light pollution. (Check controls implemented in new development in Chudleigh)

p45Policy 2.5. 1. Dark night skies are according to the header separate from tranquillity and therefore should be added here and not be assumed to be included.

Add 3.'The requirement on Neighbouring authorities not to impact the 'special qualities' of Dartmoor National park – including dark night skies will be monitored'.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

2.5.3 - This paragraph highlights the location of Dartmoor relative to large growth areas, it is not intended as a list of light pollution sources.

2.5.5 - This is noted, but difficult to control as many of these building practices fall under permitted development which the Local Plan cannot influence.

2.5.1 - We believe this is highlighted in paragraph 2.5.3, referring to dark night skies at the beginning of this section would give undue weight over the other characteristics of tranquillity.

It is not legally possible for DNPA's Local Plan to set requirements for neighbouring local planning authorities. DNPA does seek for the National Park to be respected in neighbouring authorities local plans, consistent with local and national objectives.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0006

**Name:** Phil Baker

**Organisation:** South Hams District Council, West Devon Borough Council & Ply

**On behalf of:**

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**Rep. Number:** 5

**Local Plan Section:** 2.5

**Paragraph/policy** Policy 2.5 (2)

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

### 3. TRANQUILITY AND DARK NIGHT SKIES

STRATEGIC POLICY 2.5 (2) Protecting tranquillity and dark night skies

Dark night skies are included in the Dartmoor National Park's Special Qualities identified in the Dartmoor National Park Management Plan and repeated in the draft Local Plan.

The JLP Councils previously expressed concern at the Regulation 18 stage that the application of a Dark Skies and Tranquillity policy on developments outside the DNPA boundary could jeopardise delivery of sites allocated in the Plymouth and South West Devon Joint Local Plan. The Councils requested that DNPA clarify their current dark-sky status.

The draft plan (Regulation 19) is silent on the DNPA's aims for achieving dark sky status during the plan period. The evidence in the first sentence of paragraph 6.2.7 in the Natural Environment Topic Paper implies that Dartmoor is not designated as a Dark Sky Reserve as at September 2019. However the JLP Councils note that the one of the recommendations in the Topic Paper (P6 and paragraph 6.2.8) is that "...future planning policy should not prevent dark-sky status being achieved". Topic Paper Paragraph 6.2.3 makes clear that there is a possibility of the National Park achieving dark-sky status during the course of the next plan period but this is subject to resources and is currently being explored". Dark sky status is awarded by the International Dark-Sky Association.

The JLP Councils welcome the changes made by the DNPA to the Environment Topic Paper in response to the Councils' concerns expressed at the Regulation 18 stage. The September 2019 version of the Topic Paper acknowledges that "were the whole National Park designated as a Dark Sky Reserve then this could impact on development proposals in adjacent areas which would see the recommended lighting standard increase from Zone E2 to E1. Such a change could have impact on allocated sites and would need to be a matter addressed through the National Park Authority's Duty to Cooperate." The JLP Councils note the conclusion in the evidence in paragraph 6.2.7 which states that "However in the case of Dartmoor, the presence of significant settlements on the National Park's boundary mean it is not anticipated these areas would be eligible for dark sky status. As such, the risk is considered minimal".

The JLP Councils are mindful that there is a 'necklace' of settlements just within and just outwith the National Park boundary. These already impact on dark night skies. Furthermore, there is complementary evidence that experiential qualities vary across the National Park. This is evidence in Natural England (2014) 'National Character Area Profile: 150 Dartmoor' (see footnote 43 in the Natural Environment Topic Paper). That is the source evidence regarding the Dartmoor National Park's Special Qualities identified in the Dartmoor National Park Management Plan. Those qualities are repeated in the draft Local Plan. NCA profile 150 Paragraph 11.1 for example indicates that

•Based on CPRE's mapping of dark night skies, more than 50 per cent of Dartmoor in 2000 enjoyed dark

night skies unaffected by light pollution; and

- Dartmoor is made more fragile by being bounded on all sides by major trunk roads.

The alignment of the trunk roads and the necklace of settlements can be seen on the CPRE map of tranquillity (to which paragraph 11.1 refers) as can the urban area of Plymouth, coinciding with the notation indicating those areas are not the most tranquil.

The JLP Councils acknowledge that the decision making process on 'dark sky status' is outside the plan-making process for Development Plan Documents, but future designation could still impact on the implementation of the development plan. Being outside the DPD/SPD/ development management process, the designation process it is not covered by the Statement of Community Involvement.

The JLP Councils therefore welcome the expression of intent in Topic Paper paragraph 6.2.9 that "Neighbouring local planning authorities potentially affected by any changes to the National Park's dark sky status should also be given sufficient notice and given opportunities to comment on proposals". That intent should also apply to Neighbourhood Plan Groups as Neighbourhood Plans when made are part of the development plan.

Nevertheless, that intention is not being signalled in the Reasoned Justification to Strategic Policy 2.5(2). Dark sky status is an issue which has been raised in the evidence. The draft local plan's silence however means there is insufficient clarity within the plan at this time to give neighbouring local planning authorities sufficient certainty about the mechanisms for how a plan making response to future designation might occur. To overcome this concern, details regarding the approach to future consultation on this matter, and the circumstances for triggering a plan review need to be considered. It could be part of a Governance Topic Paper and would then be part of the process supporting the delivery of the JLP and the Dartmoor Local Plan. The JLP Councils look forward to continuing engagement with the DNPA on this matter.

The ongoing work to review the Dartmoor National Park Management Plan would be an opportunity to understand whether the DNPA and partners intend to pursue dark sky status. The DNPA website provides information about the Management Plan Review. This indicates that a draft Management Plan will be prepared in the autumn (2019), with the intention of consulting on this towards the end of 2019/early 2020. The aim is to have the final Plan ready by April 2020. When available, this could inform the Local Plan examination.

[https://www.dartmoor.gov.uk/\\_\\_data/assets/pdf\\_file/0004/1556896/Man-Plan-Update-Apr19\\_final.pdf](https://www.dartmoor.gov.uk/__data/assets/pdf_file/0004/1556896/Man-Plan-Update-Apr19_final.pdf)

### **Modifications necessary to make the Local Plan compliant:**

#### **Authority response:**

The potential for dark sky status to impact on adjacent planning authority areas is acknowledged and discussed in the Natural Environment Topic Paper section 6.2. It is concluded that significant impact is unlikely due to the presence of significant settlements along the National Park's boundary, but that neighbouring authorities should be given sufficient notice and opportunity to comment on proposals as they emerge. Evidence surrounding dark night skies is continuing to emerge and DNPA have not yet finalised their intentions. It would not be appropriate to add this to policy preamble as the Local Plan has no power to influence dark night sky status, suggesting it does would be misleading.

#### **Authority proposed action:**

None proposed.

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**Respondent Number:** 0130

**Name:** Emma James

**Organisation:** Okehampton Town Council

**On behalf of:**

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**Rep. Number:** 5

**Local Plan Section:** 2.6

**Paragraph/policy** 2.6.5

**Is the Local Plan sound?:** Yes

**Is the Local Plan legally compliant?:** No

**Is the Local Plan compliant with the duty to co-operate?:** Yes

**Hearing session(s)?:** No, I do not wish to participate in hearing session(s)

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

Page 47 2.6.5 Conserving & Enhancing Heritage Assets

Okehampton has significance heritage assets. Including Roman Road and Fort as well as the Castle. The council agree with the policy in protecting these assets.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0131

**Name:** Hazel Jones

**Organisation:**

**On behalf of:**

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**Rep. Number:** 15

**Local Plan Section:** 2.6

**Paragraph/policy** Policy 2.7 (2)

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

p52Policy 2.7 point 1 'and setting'

Point 2ci 'its setting and special qualities'

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

The policy requires conservation of heritage significance which by definition includes settings where they make a contribution to significance.

The special qualities in this way would not be consistent with how the term is used and defined throughout the Local Plan and would add confusion.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0049

**Name:** Mike Deaton

**Organisation:** Devon County Council

**On behalf of:**

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**Rep. Number:** 5

**Local Plan Section:** 2.6

**Paragraph/policy** 2.6.2

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

By virtue of the NP's designation, some non-designated heritage assets may have a much higher significance here, and therefore be given greater weight in planning, than a comparable asset outside the NP. This elevated significance should be recognised in the plan.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

DNPA consider that when assessing significance in accordance with Historic England guidance, location within a designated landscape is not itself a relevant factor. DNPA consider Dartmoor's designation as a National Park does not change it or its assets' significance. The principle being that the significance of the National Park and its assets is fundamental, and the National Park designation is a recognition of this. The significance of Dartmoor and its assets would remain whether the area is designated or not.

**Authority proposed action:**

None proposed.



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**Respondent Number:** 0131

**Name:** Hazel Jones

**Organisation:**

**On behalf of:**

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**Rep. Number:** 14

**Local Plan Section:** 2.6

**Paragraph/policy** Policy 2.6 (2)

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

p472.6.3 place and time

p482.6.11 reference and hyperlink to policies map missing (again)

It should be made clear that dark night skies constitute an important part of 'settings'

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

Significance is defined by Historic England and established within the NPPF, DNPA have not sought to redefine this established concept.

Links to the policies map will be provided in the Final Local Plan.

This section refers to Areas of historic setting which complement, it is not referring to setting more generally which is discussed at 2.6.6. A link to Historic England's guidance on setting is provided to help applicants identify all the relevant characteristics which may contribute to setting.

**Authority proposed action:**

None proposed

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**Respondent Number:** 0130

**Name:** Emma James

**Organisation:** Okehampton Town Council

**On behalf of:**

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**Rep. Number:** 7

**Local Plan Section:** 2.6

**Paragraph/policy**

**Is the Local Plan sound?:** Yes

**Is the Local Plan legally compliant?:** No

**Is the Local Plan compliant with the duty to co-operate?:** Yes

**Hearing session(s)?:** No, I do not wish to participate in hearing session(s)

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

Page 50 2

The council are concerned about the lack of infrastructure, services and facilities. For example, the lack of Doctors and Dentists to serve the local population are a major concern.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

This is appreciated, but the Local Plan does not have direct influence over this. The Local Plan is supportive of development to support additional services and facilities.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0208

**Name:** Elaine Baker

**Organisation:**

**On behalf of:** Ashburton Town Council

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**Rep. Number:** 3

**Local Plan Section:** 2.6

**Paragraph/policy** 2.6

**Is the Local Plan sound?:** No

**Is the Local Plan legally compliant?:** Yes

**Is the Local Plan compliant with the duty to co-operate?:** Yes

**Hearing session(s)?:** Yes

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

There has been an omission in reference to Ashburton's heritage assets

**Modifications necessary to make the Local Plan compliant:**

No mention has been made of preservation of Ashburton's Burgage plots e.g. Burgage plots in Love Lane and Roborough Lane. Ashburton Town Council believe the burgage plots need to be conserved to prevent these historic assets being developed for housing as was attempted with the Love Lane Plot.

**Authority response:**

These burgage plots fall within the Ashburton Conservation Area, and are therefore protected by their contribution to it. The Ashburton Conservation Area Character Appraisal highlights the significance of burgage plots throughout Ashburton.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0049

**Name:** Mike Deaton

**Organisation:** Devon County Council

**On behalf of:**

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**Rep. Number:** 6

**Local Plan Section:** 2.6

**Paragraph/policy** 2.6.8

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

Conservation Areas, in addition to having built historic environment value, are also likely to have high potential for the survival of historic archaeology (evidence of medieval and post-medieval settlement evidence). This should be mentioned.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

Paragraph 2.6.5 states: "The below list summarises the buildings and features within the National Park which are likely to have heritage significance or where within which there is significant potential for discovery of previously unknown heritage assets: historic buildings and structures which reinforce local distinctiveness, particularly those in Conservation Areas". This wording is considered to satisfy the representation.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0130

**Name:** Emma James

**Organisation:** Okehampton Town Council

**On behalf of:**

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**Rep. Number:** 6

**Local Plan Section:** 2.6

**Paragraph/policy** 2.6.11

**Is the Local Plan sound?:** Yes

**Is the Local Plan legally compliant?:** No

**Is the Local Plan compliant with the duty to co-operate?:** Yes

**Hearing session(s)?:** No, I do not wish to participate in hearing session(s)

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

Page 48 2.6.11 Conservation Areas

The council note that the towns of Okehampton and Ivybridge are not mentioned as being towns on the edge of DNP.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

This paragraph relates to Conservation Areas. Okehampton and Ivybridge are shown on map 1.2.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0058

**Name:** Marcus Salmon

**Organisation:** Environment Agency

**On behalf of:**

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**Rep. Number:** 8

**Local Plan Section:** 2.7 **Paragraph/policy**

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

We support and welcome the new sub-section 2.7 (Water Environment) which captures the importance of the water environment for Dartmoor. We do, however, recommend that the section would fit better into the narrative of the plan if it is moved forward in the; perhaps after sub-section 2.3 but before sub-section 2.5.

We support paragraph 2.7.1 but recommend that, in addition to highlighting the role the Moor plays in minimising impacts on climate change, it should also acknowledge the Moor's role in helping to adapt to the impacts of climate change too. We also welcome paragraph 2.7.2 which recognises the opportunities for enhancement of the water environment (e.g. NFM) which development could help to realise and the benefits this may have for other environmental indicators.

We recommend some clarifications to paragraph 2.7.4 which attempts to summarise the development and flood risk policy set out in the NPPF (e.g. Flood Risk Assessment and the sequential and exception tests). Whilst a Flood Risk Assessment (FRA) will help inform application of the sequential test more simply the purpose of a FRA is demonstrate the flood risks to and from a proposed development. It is the FRA which will inform the part of the exception test which requires development to be safe over lifetime (allowing for climate change), without increasing flood risks elsewhere and where possible reducing flood risk overall.

We would also encourage the plan to make provision for the possibility that major development in downstream Districts could provide contributions to off-site NFM works within the National Park.

We are pleased to see the inclusion of a new diagram (as requested in our previous consultation response) demonstrating the approach to the flood risk sequential test. Hopefully this will help provide clarity on the process for developers.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

Modifications proposed in accordance with comment.

The Local Plan is only able to influence development within the Local Planning Authority's area.

**Authority proposed action:**

Modifications proposed to paragraph 2.7.1 to reference climate change, paragraph 2.7.4 to amend the explanation of an FRA, and section 2.7 is moved to section 2.5.



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**Respondent Number:** 0049

**Name:** Mike Deaton

**Organisation:** Devon County Council

**On behalf of:**

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**Rep. Number:** 7

**Local Plan Section:** 2.7 **Paragraph/policy**

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

This section is generally based on the Flood Zones but would benefit from wider consideration of all local sources of flood risk such as surface water and groundwater (these are excluded from the Flood Zone mapping). It would also be beneficial to include reference to the County Council as the Lead Local Flood Authority (LLFA), responsible for managing local flood risk from surface water, groundwater and ordinary watercourses. For context, the surface water flood map has been developed for Devon. This dataset indicates the surface water data that best represents local conditions and was reviewed, discussed and agreed between the LLFA, Environment Agency and other local partners. It is to be used alongside the existing Environment Agency Flood Zone Maps by Local Planning Authorities in the planning process. The section on Sustainable Drainage Systems (SuDS) and their role in the planning process is helpful and appropriately includes reference to DCC's SuDS guidance. It would be beneficial to support this further with an explanation of DCC's role as a statutory consultee for major developments which have surface water drainage implications.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

Noted, wording inserted to paragraph 2.7.3 to reflect representation.

**Authority proposed action:**

Noted, wording inserted to paragraph 2.7.3 to reflect representation.



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**Respondent Number:** 0058

**Name:** Marcus Salmon

**Organisation:** Environment Agency

**On behalf of:**

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**Rep. Number:** 9

**Local Plan Section:** 2.7

**Paragraph/policy** Policy 2.9 (2)

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

We fully support the principles set out in Policy 2.9 (The Water Environment and Flood Risk). However, it is necessary to amend part 3 of the policy which essentially relates to NPPF sequential and exception test requirements. A development should only be subject to the exception test if the sequential test is satisfied, or as the NPPF puts it, if it is not possible consistent with wider sustainable development objectives for development to be located in an area of lower flood risk.

Finally on flood risk, is important that developers consider the issue of insurance against flood damages. The Flood Re scheme is a joint Government and insurance industry initiative to help property owners find affordable insurance in areas at risk of flooding. The scheme only applies to dwellings built before 2009. The scheme also only covers 3 claims. This matter strengthens the case for new developments to be directed to the lowest risk areas (the sequential approach) and, where they are in areas at risk, designed to be appropriately resistant and/or resilient to present and future flood risks.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

It is noted that the policy could benefit from a re-arrangement of the wording, to aid clarity around the sequential testing having been satisfied before considering the exception test.

**Authority proposed action:**

A minor re-arrangement of the wording is proposed to aid clarity.

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**Respondent Number:** 0013

**Name:** Elliot Jones

**Organisation:** Boyer Planning

**On behalf of:** Cavanna Homes (South West) Limited

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**Rep. Number:** 11

**Local Plan Section:** 3

**Paragraph/policy**

**Is the Local Plan sound?:**

No

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:** Yes, I wish to participate in the hearing sessions

**Why?** As set out in our representations submitted in response to this consultation, there are a number of concerns which relate to the soundness of the Plan as currently prepared. In light of these concerns it is considered necessary to participate at the EiP Hearing sessions in order to ensure such matters are fully considered and addressed through the Examination.

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

## 6. CONCLUSIONS

6.1 National guidance in the form of the 2010 Circular makes it clear that National Park Authorities - in addition to conserving and enhancing the natural beauty, wildlife and cultural heritage and promote the understanding and enjoyment of the special qualities of the National Parks – should maintain a focus on providing for affordable housing and ensuring the needs of Park communities are met.

6.2 This is of significance to Dartmoor National Park given the issues that it is currently facing, namely, that it has a high level of housing unaffordability, it has an ever decreasing working age population and there is a greater demand for services and facilities to meet the needs of older people.

6.3 As such, the National Park Authority should view the provision of housing as being a critical consideration, as it prepares its planning policy that will guide development in Dartmoor over the next fifteen years.

6.4 Our analysis of the Regulation 19 Consultation Document and its supporting base suggests further work is required to ensure that the Plan is sufficiently robust to set a true and fair assessment of housing and the level required to support the needs of the National Park. In particular, it is apparent that the level of housing development/growth proposed over plan period does not appear to be sufficient to meet the National Park's aims to reduce the challenges facing Dartmoor such as ageing population, local housing need and employment workforce.

6.5 Our representations suggests that there has been no robust assessment of the 65 homes per annum figure (or alternatives) in either the SA or other supporting evidence. Indeed, it is not clear how this figure was reached. It is our view that this level of housing provision is insufficient and needs to be increased. We consider that this can be secured without harming the overarching aims of the Park or resulting in unrestricted growth.

6.6 That said many elements of the Plan can be commended such as the continued focus on local centres such as Moretonhampstead to be the focus for new growth. However, the detail of how this 'growth' will be achieved still requires further analysis and justification.

6.7 In regards to Moretonhampstead, it is clear that there has been no significant housing development in recent years despite the presence of two allocated sites in the town. Despite their non-delivery over a period of 5 – 7 years, these sites are retained in the Consultation Document and are supported by a further smaller allocation.

6.8 However, notwithstanding the lack of delivery in the town, the evidence utilised to justify this approach is neither robust nor comprehensive. It is stated that new housing is only to come forward in Moretonhampstead based on delivering affordable housing even though there is no up-to-date local housing need assessment. Furthermore, one of the allocated sites is not going to provide any provision due to Vacant Building Credit.

6.9 In addition, the site assessment does not appear to have been undertaken on equitable basis given

that the site at Courtenay Park scores the same as the (new) allocated site at Bretton Way in the SA (there is also the fact that Breton Way was not considered in isolation). However, later, it states that Courtenay Park has not been progressed because of sequentially preferable sites of lesser landscape character and historic environment concerns (expressed strongly through community concern around development of this site) being available.

6.10 The critical point here is the comment regarding community concern. It is clear from the evidence base that this has influenced the National Park's approach to the site.

6.11 Local opposition of a site should not take precedence over the objective assessment of site options. In the case of Courtenay Park, such opposition has proved to be the key driver in the decision-making process, resulting in the site not being progressed.

#### Changes Sought

6.12 As the Consultation Document currently stands, we do not consider that it is sound. There is a clear requirement to re-visit the demographic analysis used to support the housing requirement figure. The ultimate annual housing requirement figure needs to be reached at the conclusion of a robust supporting evidence assessment. The evidence base should not be used to justify a figure that has been reached first, which appears to have happened in this instance.

6.13 As such, further research is required to establish an appropriate housing requirement figure (notwithstanding the unique context of the National Park). At the very least, a sustainability appraisal should be conducted of the different housing provision scenarios.

6.14 It is also clear that the National Park Authority has not correctly interpreted the evidence base relating to the allocation of potential housing sites in Moretonhampstead. It is our view that a local housing needs assessment is required immediately to act as the basis for subsequent decision-making. Moreover, the lack of affordable housing delivery on the Thompsons Depot site should be taken into account when determining housing provision in Moretonhampstead while Bretton Way should be considered as a separate site – the fact that it is jointly owned with Forder Farm is immaterial.

6.15 Finally, the National Park Authority should re-consider the weight it has clearly given to local neighbourhood objection. This is neither an objective nor logical approach when the merits (and dis-benefits) of a site are being considered. Local views should not take precedence over the objective assessment of site options, as there will inevitably be a bias against development.

6.16 Given the above, we consider that there is sufficient justification to review and modify the Consultation Document. The result being that further sites will be required to be allocated and that such allocations should be focussed on local centres such as Moretonhampstead. This, together with a comprehensive assessment of the potential sites around the town and a thorough assessment of local housing need, would demonstrate that Courtenay Park should be allocated for residential development in modifications to the Consultation Document.

#### **Modifications necessary to make the Local Plan compliant:**

#### **Authority response:**

As described in response to other comments by the respondent, DNPA considers the approach taken to be

- reasonable and proportionate
- based upon appropriate evidence reasonably available
- taking a balanced response to the issues of affordable housing need, understanding existing stock, the range of opportunities (i.e. not just site allocations) to address issues identified around working age population
- considered in the context of a discussion around what are ultimately very small numbers in respect of confidence in modelling
- consistent with National policy in respect of National Park, and local context in respect of environmental sensitivity.

#### **Authority proposed action:**

None proposed

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**Respondent Number:** 0048

**Name:** Andy Stokes

**Organisation:** Buckfastleigh Town Council

**On behalf of:**

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**Rep. Number:** 11

**Local Plan Section:** 3 **Paragraph/policy**

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

Housing

1.4 (p22), 3 p53 We strongly object to both the proposal to increase the annual target from 50 to 65 new dwellings per annum and the reduction in the goal for affordable housing to 45% from 50%.

It was made clear at the consultation workshop at the Parke, that these changes are proposed in response to the fact that the actual percentage of affordable homes being built in the park is between 30 and 35%, so targets for affordable housing to meet identified local need are not being met.

The burden of proof that a development is not viable without reduction of affordable element is on the developer and DNPA should be rigorous in enforcing this. For several recent applications that ask for reduced (or even no!) affordable housing element, we have seen no financial assessment submitted to make their case. This sends the wrong message to developers that DNPA are a 'soft touch' - they just have to say it will 'affect the viability', i.e. hurt their pockets and they will be allowed to go ahead.

As set out in the recent report from the Campaign to Protect Rural England (CPRE) 'A Review of Government Housing Policy and its impact on Devon' which was circulated with 'Devon Housing Needs Evidence 2018', the government's house building targets are vastly inflated. The government's ultimate target of 300,000 new homes a year is almost double that of the actual need according to its own most recent projections published by the Office of National Statistics – there is no shortage of homes in this country. In fact there is a surplus of more than 1.25 million houses in England and 2,400 are in Devon.

Government housing policy is clearly driven by free-market economics, the politics of greed, not need.

The 'Devon Housing Needs Evidence 2018' report showed that 2/3 of new homes in Devon are actually being built to satisfy inward migration (and figures for the national parks are undoubtedly higher). If properties continue to be developed that are priced outside the reach of local people, this merely contributes to this migration.

We believe therefore that the targets for new homes development are set too high and should be resisted. We also believe the current targets for affordable housing do not go far enough, both in terms of the ratio and the definition of affordability and would like to see these strengthened by the DNPA, not watered down (see below).

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

The percentage of completed homes that are affordable homes in the National Park is 42% over the last

plan period. More detail is available in the Housing Topic Paper Table 6.

The National Park is not subject to Government housing targets, the Authority determines the National Park's housing delivery figure (this is not expressed as a target) on the basis of affordable housing and demographic needs. Further information on the methodology used is available in the Housing Topic Paper.

**Authority proposed action:**

None proposed

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**Respondent Number:** 0041

**Name:** Joan Banks

**Organisation:** BRIDFORD PARISH COUNCIL

**On behalf of:**

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**Rep. Number:** 5

**Local Plan Section:** 3..4 **Paragraph/policy**

**Is the Local Plan sound?:** No

**Is the Local Plan legally compliant?:** Yes

**Is the Local Plan compliant with the duty to co-operate?:**No

**Hearing session(s)?:** No, I do not wish to participate in hearing session(s)

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

This definition is on pages 64 to 65.

☐ We agree that it is reasonable to exclude garages and possibly car ports from the definition of affordable housing. However Dartmoor has relatively poor provision of public transport, high rates of car ownership and high rates of travel to work by car, so a car is much more of a necessity than it is in most urban areas. A parking space with an electric vehicle charging point should therefore be included within the definition of affordable housing. ☐ In only 20 years time the sale of conventional vehicles will have come to an end and all vehicles will be electric powered. Homes without charging facilities could become impractical or even obsolete within the foreseeable future.

☐ Residents without a garage are likely to consider a storage facility for anything from a bicycle to a mobility scooter to be more useful than a modest amount of garden space which would require some basic gardening tools and so add to the need for a storage facility.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

Policy 4.5 (2) sets out the Local Plan's requirements for electric vehicle charging provision alongside new housing. All houses, including affordable houses, with driveways will be required to install charging points. The higher cost of charging infrastructure in shared access locations has more of an impact on viability so the policy requirement is lower.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0214

**Name:** Jeremy Thres

**Organisation:**

**On behalf of:**

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**Rep. Number:** 1

**Local Plan Section:** 3.1

**Paragraph/policy** 3.1.2

**Is the Local Plan sound?:** No

**Is the Local Plan legally compliant?:** No

**Is the Local Plan compliant with the duty to co-operate?:**No

**Hearing session(s)?:**

**Why?** If more voices are needed to help understand our predicament and the need for proactive creative ways forward, versus business as usual with its inevitable result. ("if you don't change the way you are heading you will get where you are going," Norwegian philosopher Arne Ness.)

**Did respondent comment on Reg 18 Local Plan?:** No

**Detail of representation:**

[LATE COMMENT]

DNP declared climate emergency in July 2019, and though 1.6.9 states "There is overwhelming and unequivocal evidence that human induced climate change is occurring."

There is not a single mention of this new "emergency" situation in the plan, nor so far as I can see does the local plan make any mention that we are also in the middle of what some call the 6th mass extinction (loss of 60% wildlife on top of previous losses, since 1970, that is in many of our lifetimes: link to wwf report <https://www.worldwildlife.org/press-releases/wwf-report-reveals-staggering-extent-of-human-impact-on-planet>.) – and this loss is anthropocentric ie of our own making, vastly affecting insect, bird and animal quantities everywhere, so that includes significant loss and impacts within the park (take curlew down to one breeding pair, Ringed Ouzel on their last legs, skylark, one of its iconic essential quality of Dartmoor species, predicted will move north in one dnp doc as temperatures increase.. ) What these climate and ecological breakdowns clearly indicate is that current ways of thinking and living are fundamentally flawed and not sustainable. As a consequence to carry on "business as usual" following the declaration of climate emergency and, if there is understanding of it this ecological breakdown, would just not be in the service of either the park's residents, biodiversity or wider community.

Though at DNP there has been active awareness of climate change, this local plan was written in the years prior to the fresh understandings that climate breakdown is moving faster than has been expected and has greater repercussions (a dnp education document speaks of Dartmoor potentially experiencing a four degree temperature increase by 2050 – this is the same paper that also mentions the potential movement of skylarks, yet the repercussions of four degrees temperature rise will effect far more than skylarks – for example in March of 2018 the chair of the governments Environmental Audit Committee writing to Michael Gove the then secretary of state for environment, quotes the insurance and asset management firm Aviva saying that "If you look at the trajectory, even now post Paris agreement we are talking about 2.7 degrees of change is plausible. Many scientists are saying a 4, 5, 6 degree is at least a risk we need to be considering. At 4 degrees the insurance business model fails to exist. We could not underwrite to the price that the economy can afford," and that at 6 degrees "we are talking about economic meltdown." (<https://www.parliament.uk/documents/commons-committees/environmental-audit/correspondence/180322-Chair-to-Gove-Climate-change-adaptation.pdf>) Mark Carney the Governor of the Bank of England similarly warns of the risk of economic collapse. The implications of this are clear: climate breakdown will massively effect the economic and social well being of Dartmoor's residents, which DNP has a duty to care for.

Though the local plan's wording has been put in front of local community for final tweaks this autumn, I do not feel this has been done taking seriously the updated science or DNP's own declaration and the consequent need for its reappraisal and re-consultation. The local plan is a long term planning document and though a great deal of the plan may well stand, I suggest All policy should now be re-assessed and



consulted upon in the light of this freshly understood circumstance otherwise our legacy to our children will be one of failure, failing to take the actions necessary for their and future generation's well being. It feels crazy to sign it off as valid for such a length of time when such clear new information about the pace of change is just riding in.

Any plan worthwhile at this time needs not only fresh co-consideration and consultation in this new light, but also to have built in openness and responsiveness to fresh ideas that take us in the right direction, and also proactively away from the current massively deteriorating ecological direction.

This latter is particular the area I feel concern, I read elsewhere that the National Parks are expected to lead the way in adapting to and mitigating climate change as exemplars of sustainability, yet in this plan I read very little that proactively opens to or moves in any real fresh carbon reducing direction.

The UN suggests we have ten years to things around, and that therefore the next five are crucial. I therefore suggest that this plan as it is if not fully reappraised, be fully understood to be both partial and interim, so as to give more opportunity for reassessment and to be resilient in relation to the unfolding circumstance.

DNP like everywhere needs to pull out the stops if we want to soften the landing and not just for our children, as Sir David Attenborough argued in December 2018 "if we don't take action, the collapse of our civilisation and the extinction of much of the natural world is on the horizon." Sadly much of the extinction is already happening and well in motion.

Because of this overall feeling that the plan itself needs re-evaluation within the fresh context, I am loathe to make tiny tweaks to wording however, I offer the following for 1.6.9 to reflect the new scientific understandings:

1.6.9 "There is overwhelming and unequivocal evidence that human induced climate and ecological breakdown are occurring."

With this fuller truth expressed as the context we currently live and work in, and the recognition that business as usual is what has got us into this mess, then one can see why there is the need to give space to creatively revisit this plan with its community before proceeding.

#### **Modifications necessary to make the Local Plan compliant:**

If not taking the true current context more fully into account eg climate and ecological breakdown, and their own declaration of climate emergency and working this through with DNP's residents it is not fulfilling its duty of consultation or care.

#### **Authority response:**

The Local Plan's policy position on climate change is a careful balance taking into consideration scientific evidence various policy alternatives, development viability and national policy constraints. Opportunities have been taken to improve building standards, ensure development occurs in sustainable locations and ensure Dartmoor's Special Qualities are robustly protected.

#### **Authority proposed action:**

None proposed.



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**Respondent Number:** 0208

**Name:** Elaine Baker

**Organisation:**

**On behalf of:** Ashburton Town Council

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**Rep. Number:** 2

**Local Plan Section:** 3.1 **Paragraph/policy** Policy 3.1 (2)

**Is the Local Plan sound?:** No

**Is the Local Plan legally compliant?:** Yes

**Is the Local Plan compliant with the duty to co-operate?:** Yes

**Hearing session(s):** Yes

**Why?** As representative of Ashburton Town Council.

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

No indication that any open market housing needs to be completed within 3 years of being given permission

**Modifications necessary to make the Local Plan compliant:**

Ashburton Town Council believe that any open market or intermediate housing built should be completed and marketed for sale within 3 years of obtaining planning permission. This restriction is vital to ensure that land is not "land banked" to increase the house builders profits and encourage house price increases within the National park.

**Authority response:**

As set out in the 'About the Local Plan' section it is not possible for the Local Plan to force development to go ahead, this is decided by land owners and developers, and influenced by economic conditions.

All planning consents come with the condition that the development must have commenced by 3 years from the date of the decision notice, or the consent expires.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0208

**Name:** Elaine Baker

**Organisation:**

**On behalf of:** Ashburton Town Council

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**Rep. Number:** 1

**Local Plan Section:** 3.1

**Paragraph/policy** Policy 3.1 (2)

**Is the Local Plan sound?:** No

**Is the Local Plan legally compliant?:** Yes

**Is the Local Plan compliant with the duty to co-operate?:** Yes

**Hearing session(s)?:** Yes

**Why?** As Chair of planning for Ashburton Town Council to represent our views.

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

Ashburton Town Council consider that 80% staircasing of a shared ownership house is acceptable but that 100% staircasing is not.

**Modifications necessary to make the Local Plan compliant:**

Ashburton Town Council are concerned that 100% staircasing within our local centre because this will lead to right to buy and therefore loss of affordable housing to the community unless the housing is put in the hands of the Community Land Trust.

**Authority response:**

The National Park Authority have always included 80% staircasing restrictions on our s106 agreements, with the intention that this effectively ensures that affordable properties are retained in perpetuity and are not lost. However, over the last local plan this approach has had some unintended consequences. Where occupants have decided to staircase out to 80% ownership they have found that the property is incredibly difficult or impossible to sell. This is because the prospect of owning 80% of a property without ever having the ability of owning all of it is not very attractive. As a result some occupiers have found themselves 'stuck' in their homes, unable to sell and unable to move. As a result of this situation many registered providers of shared ownership housing are now refusing to take them on.

Shared ownership housing is an important model for the local plan to continue to deliver and there is demand for it in Dartmoor's communities. As a result a relaxation in the staircasing restrictions is the only way that these needs will be able to be met. Further discussion of this issue is available at section 7.14 of the Housing Topic Paper.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0041

**Name:** Joan Banks

**Organisation:** BRIDFORD PARISH COUNCIL

**On behalf of:**

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**Rep. Number:** 3

**Local Plan Section:** 3.1 **Paragraph/policy** Housing Evidence Summary

**Is the Local Plan sound?:** No

**Is the Local Plan legally compliant?:** Yes

**Is the Local Plan compliant with the duty to co-operate?:**No

**Hearing session(s)?:** No, I do not wish to participate in hearing session(s)

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

The Housing Evidence Summary is on page 58.

□ The housing affordability ratio for Dartmoor shows a median house price of £272,000 and median earnings of £22,034, and then computes a ratio of 12.43. Such a crudely calculated affordability ratio might be comparable in urban areas where the numbers of first time buyers and their opportunities to purchase flats and similar properties are both far more numerous but it would not remain valid in Dartmoor or other national parks which have an older demographic seeking comfortable homes and/or a lifestyle for their retirement. □ Furthermore the calculation of housing affordability ratio for Dartmoor should not assume that Dartmoor exists as a remote island and should not ignore the opportunities for first time buyers that exist in the string of towns that are situated immediately outside the boundary of the National Park. □ The comparison of the housing affordability ratio of 12.43 with the City of London, the Cotswolds, London, Poole, Exeter, Richmondshire and Northumberland is nothing less than bizarre. It makes no sense to compare the housing affordability ratio for Dartmoor with urban areas such as London and Exeter, which offer first time buyers far better opportunities for both employment and for the purchase of purpose built flats for, or with northern areas such as Richmondshire and Northumberland, which in general have far lower property prices. Valid comparators for Dartmoor would be such other national parks as the South Downs, the New Forest and Exmoor and such other areas as the Cotswolds, the Chilterns and (possibly) the South Hams.

□ Dartmoor's approximate age profile identifies a "Severe ageing population". It is likely that the data shows an ageing population that is consistent with the whole of the developed world and so it is inappropriate to describe this trend as being "severe". □ The existing drift of the more infirm and elderly away from Dartmoor with its old and difficult to maintain housing stock, its challenging terrain, its inclement weather and its relatively poor provision of transportation and services is likely to gather pace as their numbers increase and so the trend towards an ageing population is likely to be less pronounced than in comparator areas. □ Dartmoor's approximate age profile also identifies a "Loss of working Population" and a "Shortage of skills and labour". The profile shows that between 2018 and 2035 there will be little change in the age profile up to age 50. No data or other evidence has been presented to support the assumption that there is or will be a shortage of skills and labour. □ The lack of opportunities for employment in Dartmoor means that far from there being a shortage of skills and labour there is in fact a large net surplus of skills and labour with the result that residents have to seek employment outside the National Park. □ The assumption that Dartmoor's high housing affordability ratio has caused the loss of working age population is fundamentally flawed. The limited opportunities for employment, particularly for those of younger working age, is a much more significant cause. □ There are also generational differences with those of younger working age finding that the city lights have far more appeal than the country life enjoyed by their parents. □ The assumption that the proposal to increase the provision of dwellings from 50 to 65 per annum will disproportionately increase the numbers of working age population is unlikely to be valid unless it is matched with policies for increasing opportunities for employment. The draft Local Plan does not seem to include any policies which will increase the

opportunities for employment in Dartmoor. □ There were obvious errors in the data shown in the first draft of the Dartmoor Local Plan 2018-2033. The data suggested that an increase in the number of dwellings delivered from 50 to 65 per annum would increase the population of females below the age of 20 but not of males and would increase the working age population but not the population aged over 60. These obvious errors have been addressed but we continue to have low confidence in the accuracy of the data provided.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

The housing evidence summary graphic is a summary of the housing evidence. More detail and discussion is available in the Housing Topic Paper.

Unfortunately comparable housing affordability ratio data is not available for other National Parks, as National Park boundaries do not align with data produced by the Office for National Statistics. Our methodology for calculating the ratio for Dartmoor is available in section 3.2 of the Housing Topic Paper.

Discussion of Dartmoor's ageing population in relation to its working population is available in the Economy Topic Paper section 4.1. The resident population of the National Park is significantly older than the general population of England by c.10 years on average. This means that within 20 years the number of people of working age and who are resident on Dartmoor will have decreased by around 2,000.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0206

**Name:** Des Dunlop

**Organisation:** D2 Planning Limited

**On behalf of:** Pearce Fine Homes

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**Rep. Number:** 5

**Local Plan Section:** 3.1 **Paragraph/policy** Policy 3.1 (2)

**Is the Local Plan sound?:** No

**Is the Local Plan legally compliant?:** No

**Is the Local Plan compliant with the duty to co-operate?:**No

**Hearing session(s)?:** Yes

**Why?** Issues raised need to be the subject of discussion and debate

**Did respondent comment on Reg 18 Local Plan?:** No

**Detail of representation:**

We believe that the indicative housing delivery figure of 65 dwellings per annum is too low given the need to meet local housing needs in the National Park and in particular affordable housing. It is apparent that there are a range of factors which mean that the housing delivery figure should be increased to say 75 dwellings per annum, namely: -

- The cost of dwellings which makes it difficult for local people to remain in the area;
- An aging population and thus a problem for local businesses to recruit staff;
- Underoccupancy of existing properties;
- Decreasing demand on existing services e.g. schools, libraries which make it increasingly difficult to sustain local communities; and
- Increased demand for services and facilities to meet the needs of older people.

If additional housing is not identified then this position will only become exacerbated and communities will lose important services and facilities. It is therefore imperative that the housing delivery per annum is increased.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

Section 4 and 5 of the housing Topic Paper provides justification for the level of housing delivery proposed. Evidence indicates the level of growth proposed will meet affordable housing needs and help address demographic issues.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0059

**Name:** David Kiernan

**Organisation:** Teignbridge District Council

**On behalf of:**

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**Rep. Number:** 2

**Local Plan Section:** 3.1

**Paragraph/policy** Policy 3.1 (2)

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

Chapter 3 - Housing

3.1 Housing Development in Dartmoor National Park / Strategic Policy 3.1

We are concerned about the requirement in Strategic Policy 3.1 for allocated sites to require evidence of current affordable housing need.

This is a forward looking plan based on current projections of need and in order for a developer to have any certainty over permission then the acceptability of the development in principle should be established from the outset.

The transient nature of need and lead in times for development mean that if there is uncertainty over whether a site might be permitted or not will mean that need may inevitably be met elsewhere where there is certainty over development (i.e. Teignbridge allocated sites) placing more pressure on our already high housing needs.

Housing Need

Housing Needs Assessment are identified as a requirement through several proposals and policies and appear key to bringing forward residential sites.

There is potential for huge variation in these assessments and it is important that the plan establishes a consistent approach in the methodology, data collection and analysis. Such a course would avoid a challenge on the methodology and findings in each case, provide certainty to developers in their preparation and officers in their application to policy.

Clarity should also be provided on the following:

o who is responsible for their preparation, o who covers the cost (i.e. the developer when outside the annual HNS programme) o reliance on the Devon Homes Choice Register is insufficient and o what is considered an up to date survey, i.e. can it be more than 2-3 years old?

The glossary at the end of the document does not provide additional detail on the above but there is an opportunity within the plan to ensure consistency in the preparation and application of Housing Needs Assessment.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

National policy requires that new housing in National Parks is based on meeting a local need. Strategic affordable housing evidence does not have sufficient accuracy to identify the type of affordable housing

required to meet local need, particularly on the small sites typically delivered in the National Park, and so further evidence is required to ensure development meets a local need. This element of policy is a necessary element to safeguard against speculative development potentially resulting in over-supply which is unsustainable and would not meet government's expectations of development in National Parks. This approach is an element of existing policy and has not demonstrably affected delivery. The matter is discussed in further detail in section 4.13 of the Housing Topic Paper.

Further information on housing needs assessments is available in the Affordable Housing SPD, this is due to be reviewed after Local Plan adoption and we will consider adding further guidance.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0041

**Name:** Joan Banks

**Organisation:** BRIDFORD PARISH COUNCIL

**On behalf of:**

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**Rep. Number:** 1

**Local Plan Section:** 3.1 **Paragraph/policy**

**Is the Local Plan sound?:** No

**Is the Local Plan legally compliant?:** Yes

**Is the Local Plan compliant with the duty to co-operate?:**No

**Hearing session(s)?:** No, I do not wish to participate in hearing session(s)

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

We thank you for your letter dated 16 September 2019 drawing attention to the publication on your website of the final draft Local Plan.

The Bridford parish councillors use their best endeavours when acting on behalf of their parishioners and would like to ensure that the new Local Plan is in their best interests which is why we wrote our 1,600 word letter dated 4 February 2019 in response to the First Draft Consultation (Regulation 18). The letter was acknowledged as having been received but we were disappointed to find that our comments had made almost no impact on the final draft of the Local Plan. We continue to believe that our comments are valid but we do not propose to repeat them in another letter. We will therefore focus on just one area of policy, housing and affordable housing in particular, and go into more detail on the assumption that this letter will be read by the Secretary of State who will not be nearly so familiar with Dartmoor.

We believe that the policies for housing might be legally compliant insofar as you have attempted to follow the appropriate procedures but we believe that your assumptions in relation to housing are unsound leading to some inappropriate proposed policies.

We have read the Statement of Common Ground, we have found it to be full of fine words and intentions, we have seen that as requested by neighbouring authorities you have specified the number of new homes that will be built in the National Park each year (65) but we cannot see any evidence in the final draft of the Local Plan that you taken into account of any of their assumptions and plans.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

DNPA has worked closely with the neighbouring Authorities in producing the Local Plan, this is evident through the Duty to Cooperate Statement, evidence in the Topic Papers and Duty to Cooperate Log. Any outstanding objections to policies in the local plan are addressed in the Statement of Common Ground.

**Authority proposed action:**

None proposed



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**Respondent Number:** 0013

**Name:** Elliot Jones

**Organisation:** Boyer Planning

**On behalf of:** Cavanna Homes (South West) Limited

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**Rep. Number:** 2

**Local Plan Section:** 3.1 **Paragraph/policy** Policy 3.1 (2)

**Is the Local Plan sound?:** No

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:** Yes, I wish to participate in the hearing sessions

**Why?** As set out in our representations submitted in response to this consultation, there are a number of concerns which relate to the soundness of the Plan as currently prepared. In light of these concerns it is considered necessary to participate at the EiP Hearing sessions in order to ensure such matters are fully considered and addressed through the Examination.

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

Achieving a balance

3.6 Paragraph 3.1.2 of the Consultation Document explains that the Local Plan must carefully balance the needs of the National Park's communities with the need to conserve and enhance its internationally important environment. Given the special status of the National Park, the need for such a balance to be achieved is both recognised and supported.

3.7 However, for reasons set out below, it is not considered that the plan, as proposed, strikes an appropriate and effective balance.

3.8 To achieve this balance, the key environmental considerations must be set within the context of the issues affecting the communities across the Park Area and at individual settlements. These issues are articulated at paragraph 3.1.2 and summarised as follows:

☐ High housing unaffordability making it difficult for local people and workers to live locally; It is stated within Topic Paper 9 (Housing – paragraph 6.8.1) that the Dartmoor National Park has a housing affordability ratio of 12.43 which makes it the 28th most unaffordable local planning authority area in England and Wales excluding London.

A reduction in the working age population, making it increasingly difficult for local business to recruit and retain staff, and reducing the sustainability of communities and local services;

☐ Continued or increasing under-occupancy of homes; and

☐ A greater demand for services and facilities to meet the needs of older people alongside a decrease in demand for the services and facilities for younger people, making them increasingly difficult to sustain in smaller communities.

3.9 In response to these issues, paragraph 3.1.3 explains that local communities are looking for the housing policies within the Local Plan to:

☐ Provide appropriate and flexible opportunities for housing which meets the needs of communities within the National Park at a range of settlements;

☐ Ensure a mix of house sizes, including affordable housing;

☐ Provide suitable homes for older people and downsizers;

☐ Enable local families and working people to live in Dartmoor;

☐ Work within environmental limits, and achieve more sustainable construction; and

□ Support farming, forestry and other rural land-based enterprises.

3.10 It is therefore essential that the Local Plan provides a sufficiently positive policy framework to facilitate appropriate levels of development to address these issues and objectives, whilst ensuring the special qualities of the National Park are not undermined and, where appropriate, enhanced, that is, achieving the balance.

3.11 We deal specifically with the proposed housing figure under separate cover as part of our response to this consultation. However, in general terms it is noted that the Consultation Document (paragraph 3.1.4) explains that the figure of 65 homes each year is “the level of development evidence suggests is necessary to reduce the trends identified above and provide sufficient housing to meet local housing needs.” (Boyer emphasis)

3.12 Paragraph 3.1.4 seeks to justify the 65 homes per year figure by explaining that this scale of growth will enable the delivery of affordable homes to meet local needs, allowing sufficient open market housing to cross-subsidise affordable housing delivery and “bring about a small increase in population intended to reduce the scale of demographic issues described above.” (Boyer emphasis)

3.13 Irrespective of the robustness of the 65-dwelling figure, the Local Plan is being advanced on the basis that it does not seek to put in place measures, through policy, that will respond sufficiently to address issues related to the demographic profile of the Park. Rather, it seeks only to bring about a “small” increase in the population to “reduce” the challenges associated with an ageing population.

3.14 Furthermore, and contrary to the assertions presented in the Consultation Document, there is no evidence provided to demonstrate that 65 homes each year will address the issues identified.

3.15 Topic Paper 6 (paragraph 5.3.2) summarises the DNPA Member workshop held in June 2018 where Members confirmed support of an indicative housing delivery figure of 65 dwellings per year. This paragraph then goes on to state that this figure (65dpa) recognises inter alia:

□ The strategic ambition to avoid the depopulation of the National Park; and

□ The strategic ambition to limit the projected ageing population profile.

3.16 There is no specific evidence to explain how Members arrived at this figure, particularly given that this growth scenario was not identified in the evidence base at that time. Critically, the 65 dwelling figure was only considered through additional scenario testing published in June 2019.

3.17 As set out within our separate representation on Housing Need, the demographic evidence (Edge 2016) suggest that a housing figure of 73 homes each year would result in a decline in all households under 65 and does not address demographic imbalance between economically active and inactive persons. If this is the case then it is not credible to assert that the evidence bases supports the housing figure of 65 dwellings each year.

3.18 Consequently, a housing figure more closely aligned with the 80 dwellings per annum, as a minimum, is likely to be necessary to provide a positive and meaningful response to the population profile challenges present within the National Park and to address the ‘strategic’ ambitions referenced above.

#### **Modifications necessary to make the Local Plan compliant:**

#### **Authority response:**

Members considered different housing delivery scenarios within Local Plan steering group meetings, specifically June 2018 (meeting notes available). The chosen figures were supported by advice from the demographic consultant on choosing intermediary figures and the extent to which an intermediary would address the demographic issues identified. This advice was formalised in June 2019

#### **Authority proposed action:**

None proposed

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**Respondent Number:** 0187

**Name:** Simon Collier

**Organisation:** Collier Planning

**On behalf of:** Baker Estates Ltd.

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**Rep. Number:** 2

**Local Plan Section:** 3.1

**Paragraph/policy** 3.1.13

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

Paragraph 3.1.13 of the draft Plan acknowledges that Vacant Buildings Credit (VBC) has been introduced by the Government in order to promote the use of previously developed land but we are disappointed that the comments (attached) made in Baker Estates' previous representations have not been properly taken into account.

Furthermore, no reference to the potential application of VBC is made within relevant draft policies. To provide clarity on what should be expected on sites for which VBC is applicable, the potential application of VBC should be reflected in draft Strategic Policies 3.1, 3.2 and 3.3.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

Vacant building credit is a national policy and is subject to change or withdrawal. By not mentioning VBC within Local Plan policy DNPA rely on the national policy approach to inform decision making. This helps ensure the Local Plan stays up to date and is not superseded by a changing national policy framework.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0010

**Name:** Annie Gingell

**Organisation:** Tetlow King Planning

**On behalf of:** South West HA Planning Consortium

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**Rep. Number:** 5

**Local Plan Section:** 3.1

**Paragraph/policy** Policy 3.1 (2)

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

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 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.

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 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.

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.

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.

### **Modifications necessary to make the Local Plan compliant:**

#### **Authority response:**

National policy requires that new housing in National Parks is based on meeting a local need. Strategic affordable housing evidence does not have sufficient accuracy to identify the type of affordable housing required to meet local need, particularly on the small sites typically delivered in the National Park, and so further evidence is required to ensure development meets a local need. This element of policy is a necessary element to safeguard against speculative development potentially resulting in over-supply which is unsustainable and would not meet government's expectation of development in National Parks. This approach is an element of existing policy and has not demonstrably affected delivery. The matter is discussed in further detail in section 4.13 of the Housing Topic Paper.

#### **Authority proposed action:**

None proposed.

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**Respondent Number:** 0187

**Name:** Simon Collier

**Organisation:** Collier Planning

**On behalf of:** Baker Estates Ltd.

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**Rep. Number:** 3

**Local Plan Section:** 3.1

**Paragraph/policy** Policy 3.1 (2)

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

Draft Strategic Policy 3.1 states that allocated sites should only come forward when they are needed. Draft paragraph 7.1.9 explains that this would mean that if there is not a current identified need for affordable housing, development should not come forward. Again, this does not allow for the potential application of VBC on allocated sites which might significantly reduce the amount of affordable housing required and which instead can provide an appropriate mix of market housing to meet the needs of the Park's communities.

Draft paragraph 3.2.2 makes it clear that having a mix of available housing is vital to ensuring Dartmoor's communities are inclusive and sustainable. It states, "This means ensuring that there is a mix of housing to meet the needs of first time buyers, elderly downsizers, the disabled as well those unable to afford open market prices. To support the housing and economic strategies, any new open market housing should therefore be of a mix of house types and sizes which enable and encourage younger families to live and work within Dartmoor's communities".

Strategic Policies 3.1, 3.2 and 3.3 should therefore make it very clear that where VBC is applicable and reduces the amount of affordable housing that is required, in accordance with national policy to promote the use of previously developed sites, proposals can still come forward in a manner that responds to the market housing needs identified in draft paragraph 3.3.2. Otherwise, as these policies currently read, no development would be able to come forward on sites where VBC is applicable, which would run entirely contrary to national policy. A consistent message throughout the NPPF is for brownfield land to be prioritised for development and paragraph 118 states that "substantial weight" should be given to the value of using suitable brownfield land within settlements for homes. Development for new homes on suitable brownfield land, particularly within the main settlements, would conserve and enhance the natural beauty of the Park by reducing the need to build on greenfield land. Even where the application of VBC on such sites would reduce the amount of affordable housing required, proposals for market housing of an appropriate mix to meet local needs will foster the economic and social well-being of the local community by improving the quality of the local housing stock, creating employment through the construction, increasing economic activity and providing a mix and range of housing of which there is a shortage within the Park.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

The justification for new housing being acceptable in the National Park is it meeting local affordable housing needs, supporting local employment opportunities and key services. This is made clear in the

National Park Circular. Development of a brownfield site is not in its own right sufficient justification for new housing development to come forward in a National Park, the broader benefits of developing the site need to be demonstrated consistent with the Circular. The approach recommended in the representation would therefore undermine the national policy approach for National Parks.

Policies in the Local Plan allow development sites to come forward where VBC is applicable, this is most plainly demonstrated by the support given to the Thompson's Haulage Depot site through allocation.

**Authority proposed action:**

None proposed.



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**Respondent Number:** 0013

**Name:** Elliot Jones

**Organisation:** Boyer Planning

**On behalf of:** Cavanna Homes (South West) Limited

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**Rep. Number:** 3

**Local Plan Section:** 3.1

**Paragraph/policy** Policy 3.1 (2)

**Is the Local Plan sound?:**

No

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:** Yes, I wish to participate in the hearing sessions

**Why?** As set out in our representations submitted in response to this consultation, there are a number of concerns which relate to the soundness of the Plan as currently prepared. In light of these concerns it is considered necessary to participate at the EiP Hearing sessions in order to ensure such matters are fully considered and addressed through the Examination.

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

Responding to Housing Need

3.19 In preparing a locally derived housing requirement, this should reflect the size, type and tenure of housing needed for different groups in the community (paragraph 61, NPPF). Moreover, as set out a paragraph 78 of the Framework, to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities with policies identifying opportunities for villages to grow and thrive.

3.20 Consistency with the Framework in this regard, does not dilute or absolve the National Park of its statutory purposes defined in legislation and the 2010 Circular, nor does promoting sustainable development in rural areas automatically result in 'unrestricted' housing which the Circular obviously seeks to avoid. What this does mean is that the objectives of national policy for rural areas should also be taken on board in terms of the balance which National Park policies are seeking to achieve.

3.21 Reviewing the content of paragraph 3.1.4, it confirms that the primary objective of the housing policies in the emerging Local Plan is to deliver affordable housing, which is consistent with the emphasis in the 2010 Circular. However, this emphasis on meeting affordable housing need is applied in a manner which prevents the Local Plan from putting in place sufficient positive policy provision to address wider issues present within the National Park and the achievement of sustainable development in rural areas.

3.22 The consequence of which is the imposition of a Spatial Strategy that is ineffective in terms of achieving an appropriate balance against competing pressures and obligations. In doing so, the Plan, driven by a housing figure which is not consistent with the evidence, fails to respond appropriately to address the issues prevailing in the National Park.

3.23 Facilitating population growth reduces the proportion of the ageing population and loss of working age people, which would accord with the strategic ambitions summarised above. To address population changes, including the demographic components of the population, policies for housing should provide appropriate solutions to address matters related to population decline and loss of working age population. This should include provision for sufficient housing of all types, sizes and tenures in locations that accord with the Spatial Strategy.

3.24 However, the Local Plan is prevented from achieving this due to the Plan being prepared on the basis that any policy driver of population balance should not 'lead to such shift that we lose sight of the principle of affordable housing' (Housing Topic Paper, page 30).

3.25 It continues to express concern that a growth figure driven in response to population change: 'could lead to either an over-delivery of affordable housing, beyond identified needs, or a clear erosion of the priority for affordable housing delivery which leads to greater growth and land take inconsistent with local goals, constraint, and national policy context.'

3.26 It is not explained why it is the case that pursuing higher levels of development would, consequently, result in the erosion of the priority for affordable housing delivery. It is not the case that the National Park

Authority is presented only with a binary choice in terms of what housing policies should seek to achieve. That is, in terms of meeting affordable housing needs or putting in place a policy framework that addresses the 'strategic ambitions' to avoid the depopulation of the Park and the need to limit the aging population profile.

3.27 The Housing Topic Paper infers that higher levels of development will have de facto negative impact on local goals and the policy context for the National Park. It is not the case that higher levels of growth will result in unrestricted housing which the 2010 Circular clearly seeks to prevent, particularly if the scale and location of such development are provided for through the prism of the protection of the special qualities of the National Park.

3.28 It is acknowledged that the 2010 Circular confirms that National Park Authorities have an important role to play in the delivery of affordable housing and that Parks are not suitable locations for 'unrestricted' housing. However, there is serious concern that the National Park has taken this as justification to curtail the delivery of open market housing, irrespective of whether or not such housing, if developed, would undermine the statutory purposes of the National Park Area.

3.29 This is best illustrated at Policy 3.1(2) where it states that: "Development on allocated sites and windfall sites will only be approved where there is a current identified affordable housing need." (Boyer emphasis)

3.30 In this context the Housing Topic Paper (paragraph 8.2.3) states that;

'The Local Plan's strongest safeguard against oversupply at any point in the plan period is the requirement that larger developments are justified by demonstrating that there is a need for affordable housing using an affordable housing needs assessment. This ensures that development in the National Park only occurs where it is meeting an identified affordable housing need and prevents the oversupply of homes which will not meet a local need.' (Boyer emphasis).'

3.31 The need to address and respond positively to affordable housing needs is accepted. However, in doing so, there are significant concerns that the approach of the Plan imposes an overly restrictive approach to housing and, critically, will act as a constraint on the ability of the plan to address wider issues (ageing population, downsizers, growing families, etc.). These matters are not specifically related to affordability; rather the emphasis is on choice of homes, including size and location.

3.32 It is stated within Topic Paper 9 (paragraph 7.1.4) that:

'Site allocations remain a key means to ensure that development in the National Park meets identified local housing needs and that the National Park's housing number is met. Allocating sites in local centres remains an important way of ensuring the majority of the National Park's housing growth comes forward in planned locations, giving the community certainty.'

3.33 However, the Local Plan fails to provide the certainty that sites allocated for development will come forward. It fails to deal with potential scenarios whereby an allocated site, justified on the basis of an up-to-date assessment of need, is advancing towards an application being submitted, but in the interim an affordable housing exception site gains consent. Such a scenario, and through the provisions of Policy 3.1.(2) would then render the allocated site as unsuitable for development due to the requirement that it will only be consented where there is an identified need.

3.34 Paragraph 3.1.8 explains that the strategy is founded upon delivering the development required to meet the needs of the National Park and its communities, sustaining them as vibrant and viable places to live and work, whilst also ensuring that Dartmoor's Special Qualities are conserved and enhanced.

3.35 Yet the precursor that any development must be justified on the basis of an affordable housing need renders this objective of the strategy as ineffective as it artificially curtails the provision of open market housing to a delivery vehicle for affordable housing only. It does not recognise or support the provision of open market housing, in suitable locations, consistent with the settlement hierarchy and wider objectives and statutory purposes of the National Park.

### **Modifications necessary to make the Local Plan compliant:**

#### **Authority response:**

The National Park circular states that Parks are not suitable locations for unrestricted housing and the expectation is that new housing will be focussed on meeting affordable housing needs, supporting local employment opportunities and key services.

DNPA's indicative housing delivery figure is calculated through demographic forecasts and affordable housing need. Both the demographic and affordable housing need evidence suggest that a figure of 65 per annum is sufficient to meet affordable housing needs and make progress on addressing

demographic issues. Housing Topic Paper section 4 and 5 discuss this balance in further detail.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0184

**Name:** Andrew Kirby

**Organisation:** Andrew Kirby Architects Ltd.

**On behalf of:** David Booth (Landowner)

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**Rep. Number:** 1

**Local Plan Section:** 3.1 **Paragraph/policy** Policy 3.1 (2)

**Is the Local Plan sound?:** Yes

**Is the Local Plan legally compliant?:** Yes

**Is the Local Plan compliant with the duty to co-operate?:** Yes

**Hearing session(s):** Yes, I wish to participate in hearing session(s)

**Why?** We consider our proposals for the site and policies would be beneficial to the hearing.

**Did respondent comment on Reg 18 Local Plan?:** No

**Detail of representation:**

We would support the plan in relation to the policies identified, where it specifically meets the aspirations of the allocated land and the land owner referenced in this consultation representation and the attached document. The purpose of this representation is to tie the allocation of Land off Lamb Park to the policies raised above and the proposed strategy presented for this site.

Site edged red on the attached plans – Ref 1904 001 and 004.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

**Authority proposed action:**

None proposed

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**Respondent Number:** 0007

**Name:** Sue Green

**Organisation:** Home Builders Federation

**On behalf of:**

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**Rep. Number:** 2

**Local Plan Section:** 3.1

**Paragraph/policy** Policy 3.1 (2)

**Is the Local Plan sound?:**

No

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**No

**Hearing session(s)?:** Yes, I wish to participate in hearing session(s)

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

Strategic Policy 3.1 (2) sets out an indicative housing delivery of 1,125 dwellings (65 dwellings per annum) rather than a housing requirement figure over the plan period of 2018 – 2036. It is proposed that housing is delivered on allocated housing sites, windfall sites and rural exception sites across eight Local Centres, sixteen Rural Settlements and eighteen Villages & Hamlets in the National Park. 60% of housing is to be delivered in Local Centres on 16 proposed housing site allocations.

The 2019 NPPF sets out that Local Plans should meet housing need unless specific policies indicate that development should be restricted (para 11(b)(i) & Footnote 6) which does not exempt the DNPA from meeting housing needs but illustrates that there may be policies which will limit the ability to do so. The DNPA should assess the potential for development against both housing needs and the key purposes of its National Park designation. If it is possible to meet housing need then such needs should be met. As set out in the NPPG if strategic policies cannot meet the needs of the area after factoring in the constraints, it will be important to establish how needs might be met in adjoining areas through the process of preparing a SoCG in accordance with the DtoC (ID : 3-025-20190722). Therefore if the DNPA is unable to meet its housing needs then co-operation with neighbouring authorities namely Teignbridge District Council, Mid Devon District Council, South Hams District Council and West Devon District Council should ensure that any unmet needs are delivered elsewhere in the Greater Exeter HMA and Plymouth & South West Devon HMA (also refer to HBF representations under the DtoC above).

The DNPA have not undertaken a LHN assessment. As set out in the 2019 NPPF the starting point for the determination of the minimum number of homes needed should be informed by LHN assessment using the Government's standard methodology unless exceptional circumstances justify an alternative approach (para 60). As set out in the NPPG assessing housing need is the first step in the process of deciding how many homes need to be planned for (ID : 2a-001-20190220). As also set out in the NPPG where the data required for the model are not available such as in National Parks, an alternative approach will have to be used. Any locally determined method for calculating LHN will need to consider the best available information on anticipated changes in households as well as local affordability levels (ID : 2a-014-20190220). Where data availability does not allow the standard method to be used, at Examination consideration will be given to whether it provides the basis for a Plan that is positively prepared, taking into account the information available on household formation and affordability (ID : 2a-015-20190220). As stated in the NPPG people living in rural areas can face particular challenges in terms of housing supply and affordability, and new housing can be important for the sustainability of rural communities. Strategic policies should be informed by an understanding of LHN, especially where the DNPA is setting lower thresholds for the provision of affordable housing than would normally apply. (ID: 67-009-20190722).

The DNPA should undertake a locally determined LHN assessment and set out a housing requirement in Strategic Policy 3.1 (2) rather than a housing target for likely future housing delivery derived from

historical data on past housing delivery. Although the Housing Delivery Test does not apply to the DNPA (ID : 68-037-20190722), a 5 year housing land supply (YHLS) should be calculable from a housing requirement figure derived from a locally determined LHN assessment (ID : 68-023-20190722). If housing needs cannot be met in full then a signed SoCG should explain the meeting of any unmet needs elsewhere in adjoining HMAs. If LHN for Dartmoor is calculated, the HBF may wish to submit further representations in written Examination Hearing Statements or orally at the Examination Hearing Sessions.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

National Park Authorities are exempt from the housing delivery test and it is consistent with other adopted National Park Local Plans to not express housing delivery as a target. A target would set an unsustainable precedent whereby land in a nationally designated landscape could be released for development regardless of local need, this would not achieve the conservation and enhancement objectives for National Parks as expressed through national policy.

The methodology for calculating the Local Plan indicative housing delivery figure is available in section 4 of the Housing Topic Paper.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0057

**Name:** John Coxon

**Organisation:** Emery Planning

**On behalf of:** Wainhomes Ltd.

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**Rep. Number:** 3

**Local Plan Section:** 3.1

**Paragraph/policy** Proposal 3.1(2)

**Is the Local Plan sound?:**

No

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:** Yes, I wish to participate in hearing session(s)

**Why?** To respond to the Inspectors questions and the Council's case/hearing statements. The evidence and issues are complex and require thorough interrogation

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

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

Indicative housing delivery figure

4.5 The draft plan proposes an indicative housing delivery figure of 65 dwellings per annum. In principle, we support the identification of an indicative housing delivery figure in the plan. However we consider that the figure is not ambitious enough, and would make very little impact on addressing the key social issues affecting the National Park around retaining young people of working age, helping older people downsize and live independently for longer, and meeting the needs of farmers, farm workers, and other rural business.

4.6 Paragraph 11 of the Framework requires plans and decisions to apply a presumption in favour of sustainable development, which for plan-making this means positively seek opportunities to meet the development needs of their area, and providing for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas. However, footnote 6 clarifies that National Parks are exempt from the presumption in favour of sustainable development in terms of meeting objectively assessed needs.

4.7 The English National Parks and the Broads Vision and Circular 2010 sets out the following:

"The Government recognises that the Parks are not suitable locations for unrestricted housing and does not therefore provide general housing targets for them. The expectation is that new housing will be focused on meeting affordable housing requirements, supporting local employment opportunities and key services."

4.8 National Parks are therefore not bound to include a housing requirement within their Local Plan. However, where there are opportunities to meet development needs within the National Park, without significant harm to it, those opportunities should be taken. Our client has put forward one such opportunity in South Brent (see Section 6 of this statement).

4.9 Furthermore, Dartmoor has committed to delivering a significant quantum of development which will contribute to meeting requirements established in other Local Plans. For example the Plymouth and South West Devon Joint Local Plan (adopted in March 2019) expressly relies upon a contribution of 600 dwellings from the National Park for the period 2014 to 2034. Paragraph 3.22 of the Joint Local Plan states:

"Dartmoor National Park Authority has indicated that its contribution to meeting the needs of the HMA will be around 600 dwellings over the plan period, and is committed to delivering this figure through its Local Plan Review."

4.10 We note that Plymouth City Council, West Devon Borough Council and South Hams District Council made joint representations at the Regulation 18 Stage of the Dartmoor Local Plan, setting out that they believed that the local plan should set out a housing requirement figure in order to provide certainty that commitments are fulfilled and that the needs of the HMA are met in full. Emery Planning participated in the examination of the Joint Local Plan, and in light of the commitments made in relation to Dartmoor we would wholly endorse the setting out of a housing requirement, and agree that much greater certainty



should be provided in relation to a housing trajectory and monitoring of the 5 year housing land supply.

4.11 It is also important to note that a significant area of the National Park falls within Teignbridge (i.e. outside of the Plymouth and South West Devon Joint Local Plan area), including the Local Service Centres of Ashburton, Buckfastleigh and Moretonhampstead. Housing needs relating to the Exeter HMA (i.e. the part of the National Park that falls within Teignbridge) are additional to the 600 houses to be delivered within the Plymouth and South West Devon Joint Local Plan area, and also need to be considered.

4.12 Therefore the 600 dwellings is to be delivered only from the parts of the National Park that fall within South Hams and West Devon. Only 54% of past completions in the National Park over the past 10 years have been within South Hams and West Devon, and furthermore completion data since 2014 suggests that delivery in Dartmoor to date has been below the quantum anticipated in the Plymouth and South West Devon Joint Local Plan<sup>1</sup>.

4.13 Consequently, a commitment has been made and must be fulfilled through this plan to deliver 600 dwellings within the boundaries of West Devon and South Hams. The allocations must be sufficient and deliverable to meet the quantum of housing planned for. At present there is no evidence to demonstrate how this will be achieved.

4.14 The proposed indicative housing delivery figure of 65 dwellings per annum is not significantly different from the figure in the current adopted Local Plan, which is 50 dwellings per annum. The level of delivery achieved through the existing Local Plan has only perpetuated the adverse social and economic issues to which the NPA claims to be addressing through the Local Plan Review. Paragraph 3.1.2 of the draft plan specifically identifies the following adverse trends, which have been experienced in the context of the adopted Local Plan (and preceding that a figure of 60 dwellings per annum in the Devon Structure Plan):

- ☐ High housing unaffordability making it difficult for local people and workers to live locally
- ☐ A reduction in the working age population, making it increasingly difficult for local businesses to recruit and retain staff, and reducing the sustainability of communities and local services
- ☐ Continued or increasing under-occupancy of homes by older people or individuals, which runs at odds with the aim of making the best use of the housing stock
- ☐ A greater demand for services and facilities to meet the needs of older people, some of which may be difficult to deliver in deeply rural areas (for example home care)
- ☐ A decreasing demand for services and facilities for younger people, including schools, making them increasingly difficult to sustain in smaller communities

4.15 It is therefore clear that a step change in delivery is required in order to halt, let alone reverse, these adverse trends.

4.16 Crucially, affordable housing delivery should remain a key objective in the National Park. However it is apparent that affordable housing needs are not currently being met. Of the 490 completions between 2007/08 and 2017/18, only 207 have been for affordable homes<sup>2</sup>. This equates to an annual average of just 19 per annum. Furthermore the Issues consultation document (October 2016, page 12) specifically acknowledged that funding to deliver affordable housing does not exist in the same way it used to, and this is also detailed within the Housing Topic Paper at paragraph 2.6.2. There will need to be an increasing reliance upon market housing to cross-subsidise affordable housing. There is clear justification in Dartmoor for establishing a housing requirement, and identifying deliverable and viable sites which can cross-subsidise and meet the need for affordable housing.

4.17 The 2013 SHMNA identified a net annual need for 83 affordable houses per annum in Dartmoor. Subsequent assessments indicate that the need remains extremely high, and the existing shortfall alone is very significant<sup>3</sup>. These are households in need and every effort should be made to address this as soon as possible. Whilst delivering this requirement in full would require a drastic change in housing delivery in the National Park, there are available sites such as our client's at Noland Park which can contribute to meeting this requirement at least in part, with minimal environmental impact. We therefore consider a significantly higher indicative housing figure could be pursued without resorting to the development of unsuitable sites which would have a significant harmful impact on the National Park.

#### Housing land supply

4.18 Given the compelling social and economic reasons for identifying an indicative housing figure and site allocations, the plan should seek to ensure that the figure is met. This is particularly important given that the NPA has committed to delivering a level of development that will contribute to meeting housing requirements established in other Local Plans, as made clear through the consultation response from Plymouth City Council, West Devon Borough Council and South Hams District Council to the previous consultation stage.

4.19 In addition, the plan period has been extended from 2033 in the First Draft consultation to 2036 in this draft. However, it is not clear how the housing land supply has demonstrably increased to meet the



need arising from 3 additional years of the plan period. 4.20 Section 8 of Topic Paper 6 provides the Council's position in relation to housing land supply. However, we have numerous concerns in relation to the position as summarised in Tables 9 and 10 of the Topic Paper.

4.21 Firstly, the plan period is 2018-2036. Table 9 erroneously identifies that the housing requirement for the period 2018-2021 is 50 dwellings per annum based upon the current Local Plan figure.

4.22 Secondly, the Table 9 provides no information on supply for the first 3 years of the plan period. The allocations are only added to the supply from 2021 onwards. This conflicts with Table 10 which shows that several allocations are expected to deliver between 2018 and 2021. Consequently Table 9 is not providing a full or accurate picture of supply over the plan period.

4.23 Thirdly, the Local Plan is heavily reliant upon a large windfall allowance. This appears to have been derived by looking at past rates, and only excludes garden land and site of over 20 dwellings. As far as we are aware affordable housing exception sites have been included. Affordable housing exception sites are exceptions to policy that are only required if planning policy fails to deliver the quantum of affordable housing needed. They should not be included within the forward supply and should instead be viewed as additional to it.

4.24 Fourthly, Table 9 does not appear to correlate with Table 10. The total supply identified at Table 10 is 1,155 dwellings for the period 2019-2036. According to Table 6 there were 56 completions during 2018/19. Therefore, the total supply would be 1,211 dwellings, which is only very marginally above the total requirement.

4.25 Fifthly, and notwithstanding the issues identified above, Table 9 identifies a flexibility margin of only 131 dwellings. Against the total requirement of 1,170 dwellings (65 x 18), this would equate to a flexibility factor of just 11%, which we would consider to be inadequate, particularly as significant issues are identified for several sites within the supply<sup>4</sup>.

4.26 We therefore propose that greater certainty and flexibility should be introduced into the housing land supply through the allocation of further sites, in order to provide a realistic prospect of meeting the overall housing figure.

#### **Modifications necessary to make the Local Plan compliant:**

##### **Authority response:**

The 600 dwelling delivery figure within the Plymouth HMA is a historic level delivery that DNPA has seen in the part of Dartmoor lying within West Devon and South Hams. The 600 dwelling figure is indicative and does not commit the Local Plan to delivery at that level, nor does it indicate the National Park will provide for housing growth beyond that which it may identify as meeting local need within the National Park. This is discussed in section 4.2 of the Housing Topic Paper. Where delivery falls below this figure a monitoring and review process will be followed as set out in the Monitoring and Governance Topic Paper.

Section 8 of the Housing Topic Paper sets out how the level of delivery proposed in the Local Plan will meet the 65 homes per year indicative delivery figure.

Table 9 uses the existing plan's delivery figure between 2018 and 2020. this is because the new plan has not been adopted in this time and the increased figure of 65 dwellings per annum and the policies and allocations needed to achieve this figure are not in effect. Table 9 is sound on this basis. The allocations in Table 10 shown delivering before adoption of the new plan are existing allocations.

Delivery against the Local Plan's objectives is reliant on delivery from windfall and exception sites. This has always been the case because of the low level of delivery in the National Park. Not including these delivery methods in the Plan forecasts would likely lead to significant over-delivery of housing, and be inappropriate in a designated landscape.

Table 6 and Table 9 are not directly comparable. Table 6 is based on completions by decision year, Table 9 is based on completions by calendar year. Table 6 states completions for applications decided in 2018/19 is 7. The figures in Table 9 are drawn from the Authority Monitoring Report and state that all completions for the year 2018/19 are 67.

The total supply identified in Table 10 for the period 2019 - 2036 is 1,189.8. With 67 homes delivered in 2018/19 this makes the total supply 1,256.8, and results in a oversupply of 131 homes. This perfectly correlates with Table 9. The oversupply represents 12% of the overall supply needed which is considered appropriate for this designated landscape.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0088

**Name:** Claude Williams

**Organisation:**

**On behalf of:**

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**Rep. Number:** 1

**Local Plan Section:** 3.1

**Paragraph/policy** Policy 3.1 (2)

**Is the Local Plan sound?:**

No

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:** Yes

**Why?** I indicated yes because I am willing to participate if you think there is value in my presence or that my comment will not be addressed unless I am there in person. I do not consider my presence to be necessary if my comment is addressed in writing. Although I made a similar comment on the previous draft, I saw no reflection of it in the review documentation nor in the final draft.

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

The "indicative delivery figure of 65 dwellings per year" should be substantially reduced for sustainability. This figure is unsound because:

- 1.By removing park land for urban uses to maintain present skill and labour and 'improve' the age distribution, it compromises the ability of future generations in the Park, the county and the nation to meet their own needs for National Park values.
- 2.With the present rate of out-commuting from the Park for work at 23%, the new homes, particularly in communities on the A38 and A386, continue to provide housing to neighbouring authorities.
- 3.It does not consider skills and labour available from just outside the Park.

See full comment on the final page.

**Modifications necessary to make the Local Plan compliant:**

Reduce the "indicative delivery figure of 65 dwellings per year" until the projected net out-commuting rate is reduced to zero percent.

**Authority response:**

A discussion of how the indicative housing delivery figure has been calculated to support the sustainability of Dartmoor's communities and evidence to support its accuracy is provided in section 4 and 5 of the Housing Topic Paper.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0006

**Name:** Phil Baker

**Organisation:** South Hams District Council, West Devon Borough Council & Ply

**On behalf of:**

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**Rep. Number:** 7

**Local Plan Section:** 3.1

**Paragraph/policy** Policy 3.1 (2)

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

5.HOUSING

STRATEGIC POLICY 3.1(2) Meeting Housing Need in Dartmoor National Park

At the previous Regulation 18 stage, the JLP Councils considered that Policies 3.1(1) and 1.4(1) needed to be strengthened. Policy 3.1 (1) stated that "This Local Plan will seek to meet an indicative housing delivery figure of 65 homes each year across the National Park". That statement was welcomed as it clearly set out that the draft Local Plan will be able to provide a level of housing equal to the 'Dartmoor Allowance' set out in the Plymouth and South West Devon Joint Local Plan. Nevertheless, the JLP Councils stated that they would prefer to see the policy commit to providing this figure, rather than expressing it as an 'indicative housing delivery figure'.

The JLP Councils note the change made in Policy 3.1(2) in the Regulation 19 draft Dartmoor Local Plan. Policy 3.1(2) now states that "This Local Plan will seek to meet an indicative housing delivery figure of 1,125 homes (65 homes each year after adoption) across the National Park over the period of this Plan". However, the JLP Councils are concerned that the policy continues to express "an indicative housing delivery figure". This concern takes into account the updated evidence in the Dartmoor Topic Paper 6 – Housing (September 2019), and in particular Paragraphs 4.1.7 and 4.2.7.

**CHANGE TO POLICY :** The JLP Councils consider that Policy 3.1(2) should identify a net housing requirement figure for the plan period.

However, if this change cannot be made, the JLP Councils would be satisfied if a robust mechanism could be agreed with DNPA, to provide the JLP Councils with confidence that housing will be delivered in the DNPA area as set out in the Dartmoor Local Plan. The JLP Councils are exploring appropriate mechanisms with the Dartmoor National Park Authority, to be set out in a Governance Topic Paper on this matter.

In addition, the plan would be clearer if the plan period is clearly stated in the Reasoned Justification, This should clarify the extent of the time period (assumed to be 18 years) and the start and end of the period (assumed to be 1 April 2018 to 31 March 2036) so that monitoring of the correct period can be undertaken.

STRATEGIC POLICY 1.4(2) SPATIAL STRATEGY

The JLP Councils note that Policy 1.4(2) part 1a). continues to include an indicative delivery figure of 65 dwellings per year This avoids duplication of policy. The JLP concerns about Strategic Policy 3.1(2) also apply to Policy 1.4(2) part 1a.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

National Park Authorities are exempt from the housing delivery test and it is consistent with other adopted National Park Local Plans to not express housing delivery as a target. A target would set an unsustainable precedent whereby land in a nationally designated landscape could be released for development regardless of local need, this would not achieve the conservation and enhancement objectives for National Parks as expressed through national policy.

A modification is proposed to clarify the local plan period in strategic policy 3.1 (2)

**Authority proposed action:**

A modification is proposed to clarify the local plan period in strategic policy 3.1 (2)

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**Respondent Number:** 0130

**Name:** Emma James

**Organisation:** Okehampton Town Council

**On behalf of:**

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**Rep. Number:** 4

**Local Plan Section:** 3.1 **Paragraph/policy** 3.1.2

**Is the Local Plan sound?:** Yes

**Is the Local Plan legally compliant?:** No

**Is the Local Plan compliant with the duty to co-operate?:** Yes

**Hearing session(s)?:** No, I do not wish to participate in hearing session(s)

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

Page 59 Housing development in DNP 3.1.2

The council agree that residents need to be encouraged to stay and work in the area with more affordable housing.

Page 89 Strategy

Access to DNP should be encouraged through sustainable transport. This includes public transport, train etc.

Page 93 Transport 4.3.1

The council agree that there is a lack of work-time connections with the public transport. Both commuters and visitors should be encouraged to use public transport with the possibility of taking bicycles on both the train and buses to enable the continuation of the journey by bicycle.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

**Authority proposed action:**

None proposed

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**Respondent Number:** 0086

**Name:** Stephen Hutchins

**Organisation:**

**On behalf of:**

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**Rep. Number:** 2

**Local Plan Section:** 3.1 **Paragraph/policy** Policy 3.1 (2)

**Is the Local Plan sound?:** Yes

**Is the Local Plan legally compliant?:** Yes

**Is the Local Plan compliant with the duty to co-operate?:** Yes

**Hearing session(s)?:** Yes, I wish to participate in hearing session(s)

**Why?** As a local resident for 38 years standing I would like to put over in person the importance of being able to stay in the village where I brought up a family, provided local jobs and supported the village community and other villagers.  
See also my earlier "on-line" comment form

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

[LATE COMMENT]

Policy 3.1 (2) should also allow for rural exception sites (that are well related to the settlement / adjacent to the settlement boundary) to bring forward housing for 'local people' already resident in the area but unable to stay in their existing house for age related, medical or family reasons, or are looking to move back to the area. It is clear that you acknowledge that there are people who wish to stay within or move back to the Park that may not qualify for 'affordable housing' but for whom the house prices for a family home are outside their current grasp. Policy 3.1 (2) should allow for more flexibility for the delivery of housing within the Park, particularly the provision of housing for local people within this situation. Due to the current price of family homes within the National Park, it is often impossible for people who grew up in the Park and subsequently moved away for university or work, to move back, unless assisted by their family. Where there is the ability for a family member to assist another in moving back to the Park, particularly the village to which they grew up and their family have a long standing connection should not be hampered. At present Strategic Policy 3.1 is too restrictive, prohibiting small sites (outside of but adjacent to the settlement boundary of rural settlements) delivering housing for 'local people' if the land were provided by a family member.

We therefore request that Strategic Policy 3.1 (2) be amended to provide more flexibility in relation to allowing housing for local people (small sites of less than 5 units) to be delivered on well located rural exception sites.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

Rural exception sites are supported within the Local Plan within policies 3.3, 3.4 and 3.5. A more flexible Local Person definition is also proposed in the plan allowing for a longer period between leaving the area and returning. Further discussion on these topics is available in the housing topic paper.

**Authority proposed action:**

None proposed.





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**Respondent Number:** 0132

**Name:** Bas PAYNE

**Organisation:** Moretonhampstead Parish Council

**On behalf of:**

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**Rep. Number:** 7

**Local Plan Section:** 3.1

**Paragraph/policy** Policy 3.1 (2)

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

No useful change [from Reg 18 comment]: the same target is retained; the same evidence is relied on.

The indicative target should be abandoned for the reasons already given. It is clear from our survey that the community opposes and rejects this policy, partly because of concern about the impact of over-rapid and large-scale development on the feel and appearance of the town, and on the community, partly because of the additional stress that it would impose on traffic and parking infrastructure which are already over-stretched, and partly because the community does not believe in the argued benefits – in particular, that it would provide any substantial improvement in the availability of genuinely affordable housing.

We have, however, some concern, clearly reflected in the results of our local survey, at the current approach to housing need and affordability (see also comments on Strategic Policy 3.3 below). Housing Needs Assessments are a poor measure partly because whether people put their names on a list or not is very haphazard, and partly because they produce a number of people assessed as being in need at a particular point in time, and not an estimate of the need of homes per year, which is the number that is really needed for planning purposes.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

Full justification for the approach to housing delivery in the National Park is available in the Housing Topic Paper.

Housing Needs Assessment are an established method for understanding local housing need, which together with other evidence, such as the housing register, can accurately measure housing need locally. Whilst there will be inaccuracies, as there are with any methodology, this approach is the most robust and established we are aware of.

**Authority proposed action:**

None proposed

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**Respondent Number:** 0118

**Name:** Coral Ducroq

**Organisation:** Stride Treglown

**On behalf of:** Mr S Hutchins

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**Rep. Number:** 2

**Local Plan Section:** 3.1

**Paragraph/policy** 3.1 (2)

**Is the Local Plan sound?:** Yes

**Is the Local Plan legally compliant?:** Yes

**Is the Local Plan compliant with the duty to co-operate?:** Yes

**Hearing session(s)?:** No

**Why?** N/A

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

Policy 3.1 (2) should also allow for rural exception sites (that are well related to the settlement / adjacent to the settlement boundary) to bring forward housing for 'local people' looking to move back to the area. It is clear that you acknowledge that there are people who wish to stay within or move back to the Park that may not qualify for 'affordable housing' but for whom the house prices for a family home are outside their current grasp. Policy 3.1 (2) should allow for more flexibility for the delivery of housing within the Park, particularly the provision of housing for local people within this situation. Due to the current price of family homes within the National Park, it is often impossible for people who grew up in the Park who subsequently moved away for university or work, to move back, unless assisted by their family. Where there is the ability for a family member to assist another in moving back to the Park, particularly the village to which they grew up and their family have a long standing connection should not be hampered. At present Strategic Policy 3.1 is too restrictive, prohibiting small sites (outside of but adjacent to the settlement boundary of rural settlements) delivering housing for 'local people' if the land were provided by a family member and all parties are happy to enter a S106 requiring occupation by a local person in perpetuity.

**Modifications necessary to make the Local Plan compliant:**

We therefore request that Strategic Policy 3.1 (2) be amended to provide more flexibility in relation to allowing housing for local people (small sites of less than 5 units) to be delivered on well located rural exception sites.

**Authority response:**

This proposal would not be consistent with NPPF definition of exception sites set out in para 77: "Local planning authorities should support opportunities to bring forward rural exception sites that will provide affordable housing to meet identified local needs". Whilst market housing can be used to improve viability, and the plan allows for this to be local needs housing, it is not considered possible or desirable to justify an exception without provision of affordable housing. Policy 3.6 (2) proposes a local needs custom and self-build policy to provide opportunity for local needs housing.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0049

**Name:** Mike Deaton

**Organisation:** Devon County Council

**On behalf of:**

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**Rep. Number:** 8

**Local Plan Section:** 3.10

**Paragraph/policy** Policy 3.11 (2)

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

The gypsy and traveller accommodation assessment identifies the need for 3 pitches during the Local Plan period. The plan does not allocate sites for this provision, rather it relies on a criteria-based policy to manage the delivery of pitches. Further evidence should be provided to demonstrate that this approach will deliver the provision required going forward.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

The Housing Topic Paper provides evidence that this approach, which is consistent with the current Local Plan, will continue to be appropriate in the National Park.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0009

**Name:** Tristan Peat

**Organisation:** Mid Devon District Council

**On behalf of:**

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**Rep. Number:** 4

**Local Plan Section:** 3.10

**Paragraph/policy** Policy 3.11 (2)

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

[LATE COMMENT]

Policy 3.11 (1) Gypsy and Traveller Accommodation

Criterion 2 stipulates that 'Permanent and transit sites must be within, adjoining, or well-related to a Local Centre or Rural Settlement. Applications should demonstrate that no suitable alternative site exists outside the National Park'. It is considered that this imposes an impossible test on applications for gypsy and traveller accommodation which results in a policy context that is overly restrictive. It is currently unclear how applicants could demonstrate that no suitable alternative exists outside the National Park.

I hope these comments are useful in progressing the preparation of the new Dartmoor Local Plan. If you have any questions please do not hesitate to contact me.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

The approach pursued is considered reasonable in a designated landscape and achievable. There will normally be a limited geographic area within which a site needed and therefore meeting the policy's requirement should not be difficult to achieve.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0058

**Name:** Marcus Salmon

**Organisation:** Environment Agency

**On behalf of:**

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**Rep. Number:** 10

**Local Plan Section:** 3.10

**Paragraph/policy** Policy 3.11 (2)

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

Section 3 – Housing

It is good that Policy 3.11 (Gypsy and Traveller Accommodation) refers to the need for a sequential approach in terms of flood risk. However, the policy or supporting text needs to specifically acknowledge that 'highly vulnerable' uses such as residential mobile and park homes (as opposed to camping and caravan sites) should not be permitted in the high probability floodplain.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

A modification is proposed to paragraph 2.7.4 explaining vulnerability.

**Authority proposed action:**

A modification is proposed to paragraph 2.7.4 explaining vulnerability. Paragraph 3.10.3 is also tweaked to reflect policy.

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**Respondent Number:** 0048

**Name:** Andy Stokes

**Organisation:** Buckfastleigh Town Council

**On behalf of:**

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**Rep. Number:** 14

**Local Plan Section:** 3.11

**Paragraph/policy** Policy 3.12 (2)

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

3.10 (p82) Low Impact Residential Development

We welcome the recognition that alternative models of low-environmental-impact settlement have value and should be permitted where appropriate.

As we are increasingly aware that the current model of housing and settlement growth is proving unsustainable and damaging to the environment, we need to look to pioneers who are experimenting with ways of living 'within our means'. These settlements can provide a valuable contribution in the form of 'living research' into viable alternative dwellings, models and patterns of living that are more sustainable and may be valuable.

We agree that dwellings/settlements that...

- sit naturally within the environmental
- have minimal visual impact
- off-grid using renewable power generation made of natural materials
- are relatively self-sufficient with localised water and sewage system
- have limited transport infrastructure needs
- and generally have a low impact on or benefit the local environment

...should be treated differently to conventional housing projects.

We understand that this has been a permitted exception on rural sites since at least 2013, but we would however like to see this reflected in practice as so far, we have only heard about sites where residents have been removed from their homes and these torn down.

We are also concerned that what seem like extremely stringent criteria for these sites, may set the bar too high and be outside the resources of many likely candidates. To require that sites are completely self-sufficient and expect a Business Plan, Eco Footprint analysis, Carbon analysis, Landscape and Visual assessment, Biodiversity and Transport assessments is likely to exclude all but the most resourceful (and wealthy!) candidates. We feel that these requirements should, initially for trial settlement period at least, be made less onerous, giving potential settlements a chance to gather data and test viability.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

The criteria have been carefully written in accordance with the Welsh one-planet development policy, this is currently the most workable policy approach to this development type and the restrictions introduced are no more stringent and in some cases are more flexible. The Housing Topic Paper discusses this in

more detail at section 6.13.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0132

**Name:** Bas PAYNE

**Organisation:** Moretonhampstead Parish Council

**On behalf of:**

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**Rep. Number:** 11

**Local Plan Section:** 3.11

**Paragraph/policy** Policy 3.12 (2)

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

No change [from Reg 18 comment].

It is a pity that DNPA finds it easier to prevent than to encourage.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

**Authority proposed action:**

None proposed.



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**Respondent Number:** 0175

**Name:** Erica Thompson

**Organisation:** One Planet Council

**On behalf of:**

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**Rep. Number:** 1

**Local Plan Section:** 3.11

**Paragraph/policy** Policy 3.12 (2)

**Is the Local Plan sound?:** Yes

**Is the Local Plan legally compliant?:** No

**Is the Local Plan compliant with the duty to co-operate?:** Yes

**Hearing session(s)?:** No, I do not wish to participate in hearing session(s)

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** No

**Detail of representation:**

I represent the One Planet Council, an independent voluntary body which seeks to support and promote One Planet Development (OPD) in Wales ([www.oneplanetcouncil.org.uk](http://www.oneplanetcouncil.org.uk)). The policy described here appears to be largely based on Welsh OPD, and as such we fully support its inclusion.

Reflecting on the implementation of OPD here in Wales, I believe that the policy 3.12(2) described here is largely sound but would benefit from greater clarity on the achievement of success against the criteria, where a temporary permission is given first. As it will generally not be possible for the requirements to be met in full on first occupation (due to the time taken for scale-up of growing and businesses), it is important for both officers and applicants to know exactly what must be achieved when.

**Modifications necessary to make the Local Plan compliant:**

We suggest the inclusion of points under 3.12(2) as follows:

-- The proposals are accompanied by a comprehensive Management Plan laying out in detail how the requirements

of this policy will be met by five years from the site's first occupation

-- At five years from the development's first occupation a Monitoring Report will be submitted to the National Park

Authority reporting on how the requirements of this policy have been achieved

This will offer clarity both for officers and applicants as to exactly what is being permitted and exactly what is expected to be achieved after the set-up phase, as well as providing clear evidence to demonstrate the success of the proposal or to support a postponed decision of whether to issue a permanent permission.

**Authority response:**

The Management Plan as defined in Welsh TAN 6 policy is a document which comprises all of the subsequent evidence documents that DNPA have referred to in paragraph 3.11.7. Given it is not a new piece of evidence in its own right it is considered the current approach of referring to each document individually is robust.

A modification introducing a 5 year period for compliance with the business and improvement plan is proposed to Policy 3.12 (2) and paragraph 3.11.7.

**Authority proposed action:**

A modification introducing a 5 year period for compliance with the business and improvement plan is proposed to Policy 3.12 (2) and paragraph 3.11.7.



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**Respondent Number:** 0131

**Name:** Hazel Jones

**Organisation:**

**On behalf of:**

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**Rep. Number:** 19

**Local Plan Section:** 3.11

**Paragraph/policy** Policy 3.12 (2)

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

p87 Policy 3.12. Adverse impact on dark skies must be minimised (cf Chudleigh development)

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

It is an established policy principle that the plan should read as a whole, it is therefore not necessary to caveat each and every potential constraint relating to a development type within the policy.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0214

**Name:** Jeremy Thres

**Organisation:**

**On behalf of:**

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**Rep. Number:** 4

**Local Plan Section:** 3.11

**Paragraph/policy** 3.11.7

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**No

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** No

**Detail of representation:**

[LATE COMMENT]

In relation to low impact development, though I read in 3.11.1 that the fundamental principle of the NPPF environmental ambition is supporting a transition to the low carbon economy. Historically the Park has been THE major obstacle to such projects even happening, appearing to fight tooth and nail against projects that are low impact and demonstrate significantly lower carbon footprints than other locals. For generally not wealthy people who just want to live a simple low impact lifestyle, or even move forward community forestry to date, disproportionate energy is diverted from their projects to fighting for even very basic infrastructure and dwellings. Pembrokeshire and the Welsh have led the way with a One Planet Planning Policy which as the root of this idea (recognising current ways of living and house building require more than one planet to be sustained) evolves, it will be actively supportive of applications that live well within the planets bounds and reserves its "rigorous assessment" to those who don't. If 3.11.7 is not softened it appears DNP may just be wanting to prohibit such ways of living through placing too many hoops and obstacles in their way. This is directly contrary to the Vision of the National Parks for 2030 that suggests "They are known for having been pivotal in the transformation to a low carbon society and sustainable living." I suggest James shorten might be an ideal consultant for reviewing what is written here (one of the original authors of one planet planning) so it is not prohibitive and pivotal the wrong way and contributes to the park through its innovation, education and difference. For instance low impact dwellings are, as in the old ways, built organically drawing both on materials at the location and in a new ecological way, recycled and reuse centres. This is low carbon yet undermined in its very nature by demands for proof of it being so before it has even come together. Below are some suggestions:

3.11.7 This policy allows for a departure from policy outside of classified settlements, so it is critical that proposals must clearly demonstrate a truly low impact approach, and will therefore undergo rigorous assessment. (reserve the rigorous for non low impact)

The paragraph continues saying that: Proposals must be supported by robust evidence including: ● Business and Improvement Plan: in order to clearly identify the need to live on the site, quantifying how the inhabitants' requirements in terms of income, food, energy and waste assimilation can be obtained directly from the site, and demonstrating that land use activities proposed are capable of supporting the needs of the occupants.

I suggest a change be: Proposals must be supported by robust evidence including: ● Business and Improvement Plan: in order to clearly identify the need to live on the site, quantifying how a significant proportion of the inhabitants' requirements in terms of income, food, energy and waste assimilation can be obtained directly from the site, and demonstrating that land use activities proposed are capable of supporting the needs of the occupants.

- Developments should demonstrate that they will achieve an Ecological Footprint consistent with this type of low impact living.
- Landscape and Visual Assessment, Biodiversity Assessments: in order to prove the development is appropriate in its local context, conserving the Special Qualities of the National

Park and providing environmental gain. • Travel Plan and Transport Statement or Assessment: assessing traffic generated by the development, and demonstrating the suitability and sustainability of its location through ready access to other services and facilities by walking or cycling. 3.11.8 In order for proposals to clearly demonstrate the achievability of the project, permissions will only be granted initially on a temporary basis.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

The policy criteria are considered proportionate and reasonable to justify an exceptional development practice in a nationally designated landscape, further discussion of our approach is available in section 6.13 of the Housing Topic Paper.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0199

**Name:** James Shorten

**Organisation:** Geo

**On behalf of:**

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**Rep. Number:** 1

**Local Plan Section:** 3.11

**Paragraph/policy** 3.12 (2)

**Is the Local Plan sound?:** No

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:** Yes

**Why?** This is a specialist policy in which I am a leading expert. At the Hearing I will be able offer my advice and experience to assist in improving the policy, understanding that this is a relatively complex and specialist policy area.

**Did respondent comment on Reg 18 Local Plan?:** No

**Detail of representation:**

The NPA are to be commended for including this important policy in their Local Plan. Finding ways in which people may settle land with greatly reduced impacts and greatly increased benefits is a key element of the response to the Climate and Ecological Emergency. Addressing the issue of soundness I consider the policy to have been positively prepared, justified and consistent with National Policy, but have concerns regarding effectiveness, as explained below. The policy contains some internal contradictions which may render it confusing and may risk it not meeting is specified objectives. I also feel that there would be considerable benefit in the policy not just focusing on development of a low impact but also on the potential for development to be regenerative. As the policy draws heavily on extant Welsh policy and guidance it could be improved drawing on that experience. Please see the continuation sheet for further details.

**Modifications necessary to make the Local Plan compliant:**

The policy draws strongly on the One Planet Development (OPD) policy from the Welsh Government. We now have eight years (from 2011) of experience of that policy, for which detailed Practice Guidance was issued in 2012. I am the main author of the Practice Guidance and have worked on a range of OPD proposals since its publication. I now live and work in the area. OPD has been a policy success. There are now more than 29 OPDs consented. Policy 3.12 (2) draws the following from Welsh OPD Policy:

- Business and Improvement Plan (referred to as simple the Management Plan in the Practice Guidance)
- Ecological Footprint Analysis
- Zero Carbon Analysis
- Landscape and Visual Assessment, Biodiversity Assessments
- Travel Plan and Transport Statement or Assessment.

Drawing on the Welsh experience it is suggested that proposals be accompanied by a detailed Management Plan covering how all of the requirements of the policy will be achieved, which may then be conditioned as a means of regulating the development.

The policy lacks the benefit of detailed Practice Guidance, which has proved invaluable for Wales. This, of course, is not policy, and it is understood that policy must set a framework, but this framework should also be fully workable in terms of more detailed guidance which may follow, and in my view would be very beneficial.

My comments are organised in terms of the DNPA policy.

Settlement Strategy – the policy is potentially confusing in that it states both:

- a) the proposal is located within, adjoining, or well-related to a Local Centre, Rural Settlement or Village and Hamlet;
- b) the proposal is proportionate in scale to the settlement it relates to;

and

- g) where located outside a settlement, the proposal requires a countryside location, involves agriculture, forestry or horticulture and is tied directly to the land on which it is located;

In order to meet the majority of the needs of occupants in terms of income, food and energy, and also to assimilate wastes, development will need to be fundamentally land-based in order to grow food and biomass, and provide space for composting, which criterion h) sensibly requires. Sites adjoining settlements may not offer sufficient land. Rather than seeking to fit such development into a traditionally-used planning settlement hierarchy a more effective approach would be to require that sites are well suited to meet the majority of the needs of occupants in terms of income, food and energy, to organic assimilate wastes, and also able to be access via low carbon means services and facilities necessary to occupants. This would cohere with the need for a Transport Statement and Travel Plan. Low carbon means include public transport, e-bikes and other electric vehicles capable of being powered by the resources of the site, and cycling and walking.

Positive Contributions – criterion c) is welcome, however it may be better framed in terms of the NPPF's terminology 'net gain'.

Regenerative as well as Low Impact – that development can have an unusually low impact is important, but misses the opportunity that development might also be regenerative, meaning that in addition to having low negative impacts it may also have positive impacts which can serve to regenerate aspects of the site's environmental features and systems, and have positive impacts the local community and economy. Sustainable development focused on reducing environmental impacts in order to retain sufficiently good environmental conditions to meet the needs of today and future generations. It was not achieved such is the level of environmental damage that we now understand (climate, ecological), and so there is a need to repair or regenerate the many aspects of the environment but the concept also bears application to social and economic matters. The policy could be usefully modified, therefore, to also target regenerative benefits, principally environmental ones such as increasing biodiversity and biocapacity (including through rewilding), regenerating landscape, sequestering carbon, building soils, improving catchment management and flood control, and increasing tree cover.

Criteria i) and j) are drawn directly from OPD policy and are sensible and necessary.

Criteria f) appears to be redundant as all development in the Park must, by virtue of the Purposes, to this.

Needs of Occupants – needs are not directly addressed in the policy but the supporting text states of the Business and Improvement plan :

in order to clearly identify the need to live on the site, quantifying how the inhabitants' requirements in terms of income, food, energy and waste assimilation can be obtained directly from the site, and demonstrating that land use activities proposed are capable of supporting the needs of the occupants

The OPD Practice Guidance requires that 65% of occupants food needs be met from the site, of which 35% may be bought externally provided that the money needed is derived from other products of the site. This reflects that in the UK context it is next to impossible to meet all food needs from growing and rearing on site, both because of the variations in what a site is suitable for and because of the 'hungry gap' – the late winter / early spring period where food is often not available from on site store or production. It is to be expected that most of water and energy needs can be provided from site, and waste assimilation achieved. In terms of income the OPD Practice Guidance requires that the basic income needs of occupants need to be met from the resources of the site, and specifies these as: food not available or funded from the site, IT / communications, clothes, travel and Council Tax.

Given that the Welsh experience shows that a more nuanced approach to the needs of occupants is required it is suggested that the policy be sensibly changed to reflect this.

Ecological Footprint Analysis (EFA) – the EFA exercise is a vital part of the Welsh approach as it provides a demonstrable measure of the low impact credentials of the development. It is suggested that the Welsh tool be recommended for this exercise, as it was built for that purpose, or a tool of similar suitability. It is also recommended that a specific target be set for the EFA, as has been done in Wales. Achievement of a EFA reduction of 40% in comparison to the current or last known EFA of the Park would be a suitable target.

Timescales – the need for proposals to demonstrate their compliance with policy over an initial period is understood and supported. The Welsh experience, however, is that a five year period is sensible and reasonable. Three years is simply too short a time to achieve the outcomes desired for this sort of development, as they often involve putting into place significant change in land use and management systems. A five year initial trial period would therefore be more realistic. Were consent also required to be tied to a Management Plan, in which the expected position in year five was laid out, this would provide greater detail and clarity in respect of whether the development should then be moved to a permanent consent.

The reference to 3.9.3 in paragraph 3.11.5 appears to be an error. I offer the following adjustment of the policy, reflecting these comments.

**Policy 3.12 (2) Low Impact and Regenerative Residential Development**

Low impact and regenerative residential development will be permitted where:

- a) The proposal will be intrinsically low impact and regenerative in nature and provide net environmental, social and economic gains simultaneously, through the development and activities on site
- b) The proposal is located on a site able to meet the majority of the needs of occupants for food and all of their minimum income\*, water and energy needs, and also able to assimilate all organic wastes
- c) The proposal is located on a site from which it is possible to access via low carbon means services and facilities necessary to occupants
- d) All new and converted habitable buildings should be low carbon in construction and zero carbon in use. Existing redundant historic buildings capable of low carbon conversion should be reused before new buildings are built
- e) The number of adult residents is directly related to the functional requirements of the enterprise
- f) In the event of the development involving members of more than one family, the proposal will be managed and controlled by a trust
- g) The proposals are accompanied by a legal agreement tying the land required to the development to



the dwelling/s

h) The proposals are accompanied by a comprehensive Management Plan laying out in detail how the requirements

of this policy will be met by five years from the site's first occupation

i) The proposals will be accompanied by an Ecological Footprint Analysis (EFA) showing how an EFA 40% lower than

the average for the National Park\*\* will be met by year five

j) At five years from the development's first occupation a Monitoring Report will be submitted to the National Park

Authority reporting on how the requirements of this policy and the meeting of the EFA target have been achieved

k) A first consent will be granted on a five year temporary basis in order for the credentials of the proposal to be

evaluated at year five before a permanent consent is considered.

\* these are food provided from the site, IT / communications, clothes, travel and Council Tax

\*\* or the best alternative available data

### **Authority response:**

Further Guidance - DNPA will review the need for further detailed guidance after adoption of the policy and Local Plan.

Settlement strategy - comments noted. However it is considered the term 'well-related' includes low carbon transport connections to services and facilities. We have not sought to restrict it to low carbon means as traditional vehicles will likely be necessary in part. The policy wording allows flexibility and leaves it for the ecological footprint analysis to determine whether the development as a whole achieves the policy objectives.

Net gain - Net gain terminology has arisen around Defra's ambition to achieve environmental net gain and the emerging biodiversity net gain policy. Net gain infers that performance will be assessed against a quantitative metric for measuring gain. Criteria c) is worded on the expectation that many of the positive contributions being delivered will be assessed qualitatively and there is not the expectation for them to be assessed quantitatively against a metric, which we believe is unrealistic given the current lack of a national framework to assist applicants.

Special qualities - Criteria f) is justified, in the same way it is in the other policies of the Local Plan.

Needs of occupants - Measuring 'needs' by percentages is difficult and filled with potential methodology issues and will not necessarily achieve the policy ambition. In the absence of a robust methodology in guidance the policy leaves an appropriate balance to be established on a case by case basis. This is considered appropriate and robust and consistent with existing policy.

Ecological Footprint Analysis (EFA) - DNPA do not know of an ecological footprint analysis for the National Park against which 40% improvement could be measured.

Timescales - The benefits of introducing a 5 year period for compliance is noted and a modification proposed.

### **Authority proposed action:**

Potential modifications identified for to correct the reference in para 3.11.5 and include reference to a timescale in Policy 3.12(h)

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**Respondent Number:** 0184

**Name:** Andrew Kirby

**Organisation:** Andrew Kirby Architects Ltd.

**On behalf of:** David Booth (Landowner)

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**Rep. Number:** 2

**Local Plan Section:** 3.2 **Paragraph/policy** Policy 3.2 (2)

**Is the Local Plan sound?:** Yes

**Is the Local Plan legally compliant?:** Yes

**Is the Local Plan compliant with the duty to co-operate?:** Yes

**Hearing session(s):** Yes, I wish to participate in hearing session(s)

**Why?** We consider our proposals for the site and policies would be beneficial to the hearing.

**Did respondent comment on Reg 18 Local Plan?:** No

**Detail of representation:**

We would support the plan in relation to the policies identified, where it specifically meets the aspirations of the allocated land and the land owner referenced in this consultation representation and the attached document. The purpose of this representation is to tie the allocation of Land off Lamb Park to the policies raised above and the proposed strategy presented for this site.

Site edged red on the attached plans – Ref 1904 001 and 004.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

**Authority proposed action:**

None proposed

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**Respondent Number:** 0132

**Name:** Bas PAYNE

**Organisation:** Moretonhampstead Parish Council

**On behalf of:**

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**Rep. Number:** 8

**Local Plan Section:** 3.2

**Paragraph/policy** Policy 3.2 (2)

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

The policy is unchanged [from Reg 18 comment]. The discussion has been expanded, but probably doesn't go far enough to make much difference.

Comment and suggestion: Section 4 seems unnecessary, however well-intentioned. Where need for wheelchair access is clear at the time of building, it will naturally be provided for and doesn't need to be required; otherwise it is unlikely to be clear in advance, and has to be retrofitted. What is desirable is to encourage pre-adaptation in new-build houses when this can be done without significant added cost (e.g. doors and doorways wide enough for wheelchairs), and encouraging rather than discouraging the construction of some bungalows.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

The approach allows for wheelchair accessible affordable dwellings to be required where the Housing Authority identify there is a need. This is consistent with the NPPF and NPPG. M4(2) standards are pursued on all dwellings which allow for houses to be adapted to meet more accessible standards.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0007

**Name:** Sue Green

**Organisation:** Home Builders Federation

**On behalf of:**

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**Rep. Number:** 3

**Local Plan Section:** 3.2

**Paragraph/policy** Policy 3.2 (2)

**Is the Local Plan sound?:** No

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**No

**Hearing session(s)?:** Yes, I wish to participate in hearing session(s)

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

Bullet Point (2) of Strategic Policy 3.2(2) requires that all new housing should meet and not significantly exceed Nationally Described Space Standards (NDSS). If the DNPA wishes to adopt the optional NDSS then this should only be done in accordance with the 2019 NPPF (para 127f & Footnote 46). Footnote 46 states that "policies may also make use of the NDSS where the need for an internal space standard can be justified". As set out in the 2019 NPPF all policies should be underpinned by relevant and up to date evidence which should be adequate, proportionate and focussed tightly on supporting and justifying the policies concerned (para 31). The NPPG sets out that "Where a need for internal space standards is identified, the authority should provide justification for requiring internal space policies. Authorities should take account of the following areas need, viability and timing" (ID: 56-020-20150327). If it had been the Government's intention that generic statements justified adoption of the NDSS then the standard would have been incorporated as mandatory in the Building Regulations, which is not the case. Before adopting the NDSS, the DNPA should provide a local assessment evidencing the case for Dartmoor which identifies need, tests viability and addresses timing with proposals for transitional arrangements. It is noted that the DNPA Housing Topic Paper identifies that market housing should not be tied to the NDSS because of cost and impacts on affordability. The allocated sites in Buckfastleigh, Chagford, Harrabridge, Moretonhampstead, South Brent, Buckfast and Yelverton comprise of market housing with at least 45% affordable housing. The 2019 NPPF states that policies should be clear and unambiguous (para 16). Strategic Policy 3.2(2) should be modified so that optional NDSS are not imposed on market housing.

Under the 2019 NPPF it is the DNPA's responsibility to robustly viability test the Local Plan in order that the cumulative burden of policy requirements are set so that most development is deliverable without further viability assessment negotiations (para 57) and deliverability is not undermined (para 34). There is a direct relationship between unit size, cost per square metre, selling price per metre and affordability. The DNPA has not viability tested this policy requirement. Strategic Policy 3.2(2) should be modified so that noncompliance with Bullet Point (2) is permissible if demonstrated to be unviable.

Strategic Policy 3.2(2) Bullet Point (3) requires that all new build dwellings should be constructed in accordance with optional Building Regulations Requirement of M4(2) for accessible and adaptable dwellings, or successive regulations, unless evidence demonstrates (a) it is not desirable or possible for planning or environmental reasons or (b) it is not viable. Under Bullet Point (4) wheelchair accessible dwellings constructed in accordance with optional Building Regulations Requirement of M4(3), or successive regulations, will be encouraged where a specific local need for a wheelchair adaptable or accessible dwelling is identified.

If the DNPA wishes to adopt the optional standards for M4(2) and M4(3) then this should only be done in accordance with the 2019 NPPF (para 127f & Footnote 46) and latest NPPG. Footnote 46 states "that planning policies for housing should make use of the Government's optional technical standards for accessible and adaptable housing where this would address an identified need for such properties". As

set out in the 2019 NPPF all policies should be underpinned by relevant and up to date evidence which should be adequate, proportionate and focussed tightly on supporting and justifying the policies concerned (para 31). The NPPG sets out the evidence necessary to justify a policy requirement for M4(2) and M4(3) standards. The DNPA should apply the criteria set out in the NPPG (ID 56-005-20150327 to 56-011-20150327) to ensure that an appropriate evidence base is available to support its proposed policy requirements.

All new homes are built to Building Regulation Part M Category 1 (M4(1)) standards which include level approach routes, accessible front door thresholds, wider internal doorway and corridor widths, switches and sockets at accessible heights and downstairs toilet facilities usable by wheelchair users. These standards are not usually available in the older existing housing stock and benefit less able-bodied occupants. The optional standards should only be introduced on a “need to have” rather than a “nice to have” basis. Need is generally defined as “requiring something because it is essential or very important rather than just desirable”. If the Government had intended that evidence of an ageing population alone justified adoption of optional standards then such standards would have been incorporated as mandatory in the Building Regulations, which is not the case. M4(1) standards are likely to be suitable for most residents.

In determining the quantum of M4(2) homes the DNPA should focus on the ageing population living in the National Park compared to national / regional figures and the proportion of households living in newly built homes. Many older people already live in Dartmoor and are unlikely to move home. There may be a need for some new dwellings to be built to M4(2) especially specialist housing but there is not the need for all new dwellings to be built to M4(2) as not all existing older residents will move home and those that do move may not choose to live in a new dwelling. The DNPA has identified that continued or increasing under-occupancy of homes by older people or individuals, runs at odds with the aim of making the best use of the housing stock. Strategic Policy 3.2(2) Bullet Point (3) should be modified so that this requirement is not applied to all housing in particular family dwellings.

The DNA is also reminded that the requirement for M4(3) should only be required for dwellings over which the DNPA has housing nomination rights as set out in the NPPG (ID 56-008-20150327).

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

The policy wording related to space standards is flexible and does not restrict market housing to national space standards, but requires them to not significantly exceed them on the basis this is likely to ensure market housing meets Dartmoor’s open market needs, given Dartmoor’s affordability issues. Evidence supporting application of nationally described space standards is discussed at section 6.8 of the Housing Topic Paper, 4.2 of the Design and Built Environment Topic Paper and viability tested within the Whole Plan Viability Assessment.

The evidence and justification for pursuing M4(2) standards is provided in section 4.1 of Design and Built Environment Topic Paper and section 6.2 of the Housing Topic Paper. Evidence includes demographic, local and strategic housing need assessments, and condition of the existing housing stock.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0010

**Name:** Annie Gingell

**Organisation:** Tetlow King Planning

**On behalf of:** South West HA Planning Consortium

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**Rep. Number:** 3

**Local Plan Section:** 3.2

**Paragraph/policy** 3.2.7

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

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.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0187

**Name:** Simon Collier

**Organisation:** Collier Planning

**On behalf of:** Baker Estates Ltd.

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**Rep. Number:** 4

**Local Plan Section:** 3.2

**Paragraph/policy** Policy 3.2 (2)

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

Draft Strategic Policy 3.1 states that allocated sites should only come forward when they are needed. Draft paragraph 7.1.9 explains that this would mean that if there is not a current identified need for affordable housing, development should not come forward. Again, this does not allow for the potential application of VBC on allocated sites which might significantly reduce the amount of affordable housing required and which instead can provide an appropriate mix of market housing to meet the needs of the Park's communities.

Draft paragraph 3.2.2 makes it clear that having a mix of available housing is vital to ensuring Dartmoor's communities are inclusive and sustainable. It states, "This means ensuring that there is a mix of housing to meet the needs of first time buyers, elderly downsizers, the disabled as well those unable to afford open market prices. To support the housing and economic strategies, any new open market housing should therefore be of a mix of house types and sizes which enable and encourage younger families to live and work within Dartmoor's communities".

Strategic Policies 3.1, 3.2 and 3.3 should therefore make it very clear that where VBC is applicable and reduces the amount of affordable housing that is required, in accordance with national policy to promote the use of previously developed sites, proposals can still come forward in a manner that responds to the market housing needs identified in draft paragraph 3.3.2. Otherwise, as these policies currently read, no development would be able to come forward on sites where VBC is applicable, which would run entirely contrary to national policy. A consistent message throughout the NPPF is for brownfield land to be prioritised for development and paragraph 118 states that "substantial weight" should be given to the value of using suitable brownfield land within settlements for homes. Development for new homes on suitable brownfield land, particularly within the main settlements, would conserve and enhance the natural beauty of the Park by reducing the need to build on greenfield land. Even where the application of VBC on such sites would reduce the amount of affordable housing required, proposals for market housing of an appropriate mix to meet local needs will foster the economic and social well-being of the local community by improving the quality of the local housing stock, creating employment through the construction, increasing economic activity and providing a mix and range of housing of which there is a shortage within the Park.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

The justification for new housing being acceptable in the National Park is it meeting local affordable housing needs, supporting local employment opportunities and key services. This is made clear in the

National Park Circular. Development of a brownfield site is not in its own right sufficient justification for new housing development to come forward in a National Park, the broader benefits of developing the site need to be demonstrated consistent with the Circular. The approach recommended in the representation would therefore undermine the national policy approach for National Parks.

Policies in the Local Plan allow development sites to come forward where VBC is applicable, this is most plainly demonstrated by the support given to the Thompson's Haulage Depot site through allocation.

**Authority proposed action:**

None proposed



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**Respondent Number:** 0200

**Name:** Tony Whitehead

**Organisation:**

**On behalf of:**

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**Rep. Number:** 3

**Local Plan Section:** 3.2

**Paragraph/policy** 3.2.2

**Is the Local Plan sound?:** No

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** No

**Detail of representation:**

Policy 3.2.2 All new housing should meet and not significantly exceed nationally described technical housing standards

At a time when the national standards are seriously below the level that we need them regarding energy efficiency and insulation, it would seem to be far more sensible to say that it should significantly exceed those standards. It is hoped that local authorities will continue to have the powers to set high standards following the current government review.

Section 1.6.10 The hierarchy of measures for reducing a building's impact on climate change involves: 1) Minimising energy consumed in making construction materials and the process of construction. 2) Using passive design to minimise energy consumption during a building's use 3) Generating renewable energy locally.

Section 1.6.11 Strategies 1) and 2) have far greater energy saving potential and should always be considered before renewable energy generation. This is called a 'fabric first' approach and will be encouraged in all new development.

Given the climate emergency I would challenge this "fabric first" approach because we need to expend effort in all areas equally, and it is vital that we both promote renewable energy and reduction in consumption at the same time. One is not a substitute for the other.

**Modifications necessary to make the Local Plan compliant:**

Reword Policy 3.2.2 to read: All new housing within DNPA area will significantly exceed nationally described technical housing standards with regards to energy efficiency.

Reword Sections 1.6.10 and 1.6.11 to remove the "fabric first" approach and emphasise that both mitigation and adaptation will require equal effort to be given to both renewable energy generation and energy efficiency.

**Authority response:**

Nationally described technical housing standards are space standards for the size of new dwellings, they do not relate to energy efficiency. Policy 1.7 (2) seeks to improve energy efficiency standards by 10% above current building regulations, using a fabric first approach.

A fabric first approach is justified because improving a building's insulation reduces its energy use and this improved fabric will be within the building for its lifetime, renewable energy can always then be added to the building at a later date to reduce building emissions further.

If installing renewable energy generation first there will rarely be an opportunity later on in the building's life to improve the efficiency of its fabric. The disruption improving insulation causes to the building and its occupants is unlikely to be a desirable or cost effective way of lowering emissions in the future.

Renewable energy generation systems also have a shorter life expectancy and require maintenance, which worsens their cost effectiveness and sustainability credentials.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0055

**Name:** Ed Persse

**Organisation:** EJFP Planning Ltd

**On behalf of:** Mr A Lopes

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**Rep. Number:** 1

**Local Plan Section:** 3.3 **Paragraph/policy** 3.3.1

**Is the Local Plan sound?:** Yes

**Is the Local Plan legally compliant?:** Yes

**Is the Local Plan compliant with the duty to co-operate?:** Yes

**Hearing session(s)?:** No, I do not wish to participate in hearing session(s)

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

The inclusion of the definition of a local person is welcome and such a definition will assist in providing homes for those people who have a genuine connection with the National Park.

Furthermore, the definition is sufficiently flexible to take into account numerous circumstances.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

**Authority proposed action:**

None proposed

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**Respondent Number:** 0118

**Name:** Coral Ducroq

**Organisation:** Stride Treglown

**On behalf of:** Mr S Hutchins

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**Rep. Number:** 3

**Local Plan Section:** 3.3 **Paragraph/policy**

**Is the Local Plan sound?:** Yes

**Is the Local Plan legally compliant?:** Yes

**Is the Local Plan compliant with the duty to co-operate?:** Yes

**Hearing session(s)?:** No

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

We support the recognition that there is a group of people who although do not qualify for affordable housing in the traditional sense, are unable to move back to the area or stay within the area as the cost of suitable housing is prohibitive. Therefore the recognition within the Local Plan that a group of people exist who can demonstrate strong local connections but unable to buy property with the Park is welcome.

Further to this, we feel that the ability for housing to accommodate these people with strong local connections should be further encouraged through the emerging local plan policy. Where there are suitable exception sites exist, which are immediately adjacent to the settlement boundary there should be the ability for these sites to deliver housing for 'local people' not just where there is an identified need for 'affordable housing', accepting that any housing for local people would require rigorous assessment of the local person criteria and be subject to a S106 Agreement ensuring the property remained for the use of a 'local person' in perpetuity.

**Modifications necessary to make the Local Plan compliant:**

N/A

**Authority response:**

The Local Plan does recognise that local needs housing which is not affordable can help meet a local need for housing, however the national definition of an exception site requires provision of affordable housing to justify development outside a settlement on a non-allocated site. This definition is consistent with the local plan's objectives and national policy for new housing in National Parks. Nevertheless the local plan has created opportunities for local needs self and custom-build housing within settlements which will serve to meet some of the type of need identified in the representation.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0086

**Name:** Stephen Hutchins

**Organisation:**

**On behalf of:**

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**Rep. Number:** 3

**Local Plan Section:** 3.3

**Paragraph/policy** 3.3.1

**Is the Local Plan sound?:** Yes

**Is the Local Plan legally compliant?:** Yes

**Is the Local Plan compliant with the duty to co-operate?:** Yes

**Hearing session(s)?:** Yes, I wish to participate in hearing session(s)

**Why?** As a local resident for 38 years standing I would like to put over in person the importance of being able to stay in the village where I brought up a family, provided local jobs and supported the village community and other villagers.  
See also my earlier "on-line" comment form

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

[LATE COMMENT]

We support the recognition that there is a group of people who although do not qualify for affordable housing in the traditional sense, are unable to move back to the area or stay within the area as the cost of suitable housing is prohibitive. Therefore the recognition within the Local Plan that a group of people exist who can demonstrate strong local connections but unable to buy property with the Park is welcome. Further to this, we feel that the ability for housing to accommodate these people with strong local connections should be further encouraged through the emerging local plan policy. Where suitable exception sites exist, which are immediately adjacent to the settlement boundary there should be the ability for these sites to deliver housing for 'local people' not just where there is an identified need for 'affordable housing', accepting that any housing for local people would require rigorous assessment of the local person criteria.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

People with a local connection who cannot afford to purchase a home do qualify for affordable housing as it is defined within the plan. DNPA's intermediate discount market sale housing would likely be the most appropriate affordable housing type to meet these needs. A Local Housing Needs Assessment would identify these needs and could be used to justify an exception site where the need was significant and could not be met within the settlement.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0048

**Name:** Andy Stokes

**Organisation:** Buckfastleigh Town Council

**On behalf of:**

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**Rep. Number:** 12

**Local Plan Section:** 3.4 **Paragraph/policy**

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

Definition of 'Affordable Housing'

3.4 (p61) We are unclear about the definition set out in this section, at one point it is stated that section 106 agreement requires that properties be discounted by at least 25% (75% of market value or rent). In the next paragraph it states that prices should be not more than 3.5 times median local household income.

Given that it is stated elsewhere (p 54) that the median house price in Dartmoor National Park is £272,000 and the median earnings are £22,034 (a ratio of 12.43 – or slightly higher than London), a property at 75% median price is approx £200,000 which is still nine times higher than median earnings, which would make it very far from being affordable. Yet this seems to be the criteria which is being used by developers in their proposals.

A property price of £77,119, 3.5 times median earnings, would actually be truly affordable but how many properties have been built and sold for this price in recent years? It is apparent that most properties developed as 'affordable' are therefore clearly not affordable to the vast majority of local people in need, do not deliver for local housing need and therefore do nothing to reduce the numbers of families who are hoping for a home. Whereas, for someone from London for instance, where median house price is £478,853, practically all properties being built on Dartmoor look affordable.

All too often therefore, new development merely adds to the net inward migration into Dartmoor, increasing the strain on rapidly reducing infrastructure and services and encroaching on green spaces, whilst providing very little or no benefit for local people. Thus, the cycle of over-development that threatens the environmental and biodiversity aims of the park continues.

We would like DNPA therefore to clarify that the criteria required for a property for sale to be considered 'affordable' is 3.5 times median value. We would also like to see rented accommodation to be truly affordable and therefore would wish to see a high target set for social housing.

3.4.7 (p62) Financial Contributions in Lieu of on-site affordable housing.

Can the DNPA guarantee that any contribution be ring-fenced for providing truly affordable homes for local people? Ideally low-cost social housing? Otherwise this is a loophole and does not provide homes for local people in need.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

Section 3.4, paragraph 3.4.5 states 'the minimum discount is 20% from open market value'. Paragraph

3.4.6 sets out what is generally considered affordable for two average earners buying a 2 bedroom 4 person home, £150,000 to £165,000. Paragraph 3.2.7 then states that to meet this benchmark across Dartmoor a varying level of discount will be necessary, between 20% and 40%. This gives DNPA the flexibility to ensure that greater levels of discount can be applied in higher value areas to deliver affordable housing which aligns with what is affordable.

Financial contributions in lieu of affordable housing are ring fenced for use against affordable housing provision across Dartmoor and this forms part of the s106.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0010

**Name:** Annie Gingell

**Organisation:** Tetlow King Planning

**On behalf of:** South West HA Planning Consortium

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**Rep. Number:** 4

**Local Plan Section:** 3.4

**Paragraph/policy** 3.4.8

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

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.

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.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

Evidence for the proposed size restriction is provided in section 6.8 of the Housing Topic Paper. The restriction is applied to private intermediate affordable housing where there is significant risk that housing is over specified. The restriction is not applied to housing association affordable housing which is discussed at paragraph 3.4.3.

**Authority proposed action:**



None proposed.

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**Respondent Number:** 0010

**Name:** Annie Gingell

**Organisation:** Tetlow King Planning

**On behalf of:** South West HA Planning Consortium

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**Rep. Number:** 2

**Local Plan Section:** 3.4

**Paragraph/policy** 3.4

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

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.

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.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

**Authority proposed action:**

None proposed.



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**Respondent Number:** 0118

**Name:** Coral Ducroq

**Organisation:** Stride Treglown

**On behalf of:** Mr S Hutchins

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**Rep. Number:** 4

**Local Plan Section:** 3.4 **Paragraph/policy** Policy 3.4 (2)

**Is the Local Plan sound?:** Yes

**Is the Local Plan legally compliant?:** Yes

**Is the Local Plan compliant with the duty to co-operate?:** Yes

**Hearing session(s):** No

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

Part 4 of Strategic Policy 3.4(2) Housing in Rural Settlements, should be more flexible and allow for the development of local needs custom and self-build for those families/individuals who have a strong connection to the Park and rural settlement to which a site is located and not be restricted to 'affordable housing'; particularly where the housing needs of local people is acknowledged as being different to affordable housing need, but would have a section 106 legal agreement requiring they are occupied only by a Local Person in perpetuity. Therefore we request that a 'Part C' be added to this policy, permitting local needs custom and self-build housing to be built where the applicant can demonstrate qualification of a local person who is unable to afford to move back to the Park with their family.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

This would not be consistent with national exception site policy. If someone meeting the local person definition was not able to afford to move back to the National Park they would be eligible for affordable housing. The existing policy would therefore be able to meet their needs.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0010

**Name:** Annie Gingell

**Organisation:** Tetlow King Planning

**On behalf of:** South West HA Planning Consortium

---

**Rep. Number:** 1

**Local Plan Section:** 3.4

**Paragraph/policy** 3.4

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

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.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0096

**Name:** Peter Grubb

**Organisation:** Sticklepath PC

**On behalf of:**

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**Rep. Number:** 1

**Local Plan Section:** 3.6

**Paragraph/policy** Policy 3.3 (2)

**Is the Local Plan sound?:**

No

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

It requires "a significant improvement in energy efficiency which could not be achieved by modification or adaptation of the existing dwelling" but is not specific and provides no measurable parameters. It is not therefore effective.

New housing should have solar panels on roofs where feasible or other forms of achievable renewable energy infrastructure, including District Heating where feasible. In locations where there is no mains gas, there is a great opportunity to introduce wood pellet boilers or similar to discourage oil based heating systems. This should be coupled with high levels of insulation. The plan provides no measurable requirements for this approach so it is not effective in ensuring new housing takes all available opportunities to reduce carbon emissions.

A fundamental principle of the NPPF's environmental ambition is supporting a transition to the low carbon economy, through encouraging the reuse of existing resources and use of renewable resources (including renewable energy) to minimise our impact on climate change.

**Modifications necessary to make the Local Plan compliant:**

Inclusion of measurable objectives for energy efficiency and use of renewable energy

**Authority response:**

Policy 1.7 requires a 10% improvement in a dwelling's energy efficiency above current building regulations standards. The policy requires this to be delivered by a fabric first approach.

The policy position is a careful balance taking into consideration various policy alternatives, development viability and national policy. A full discussion on how the Authority has arrived at this policy position is available in the Reducing CO2 emissions in new development policy research and recommendations paper and the Design and the Built Environment Topic Paper.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0022

**Name:** Phil Hutt

**Organisation:** Dartmoor Preservation Association

**On behalf of:**

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**Rep. Number:** 2

**Local Plan Section:** 3.6 **Paragraph/policy** Strategic Policy 3.3 (2)

**Is the Local Plan sound?:** Yes

**Is the Local Plan legally compliant?:** No

**Is the Local Plan compliant with the duty to co-operate?:** Yes

**Hearing session(s)?:** Yes, I wish to participate in hearing session(s)

**Why?** For over 130 years, the DPA has campaigned for the protection of Dartmoor and enhancement of Dartmoor and been a voice against unacceptable developments. Our members and others on Dartmoor rely on us to continue doing so. It is important that a representative of the DPA attends hearing sessions, so as to be in a position to give our members authoritative information on the rationale for decisions on the Local Plan and the level of support, or otherwise, for them.

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

These policies provide that developments should contain 45% affordable housing, or an equivalent sum of money. They also allow developers to go below this figure when "a higher proportion of open market housing is proven essential for the viability of the development"

They do not represent the most appropriate strategy when considered against the reasonable alternatives. There is no evidence to suggest that these provisions are backed up by facts, or that local communities and others having a stake in this area would support them. The policies are discriminatory and will ensure that the social, environmental and economic objectives of sustainability set out in the Plan will NOT be achieved.

For several years, the DNPA has had a very weak record on enforcing affordable content, allowing percentages far below the current level of 50%. This has been justified on the grounds of viability assessments considered in private, on the grounds of commercial confidentiality - something which is completely unacceptable when the developer is, in effect, seeking a public subsidy. Indeed, to claim that a development is non-viable can only mean that the developer ignored, or failed to take account of, the affordability provision, or made some other commercial judgement which proved to be unsound. Neither of these are acceptable reasons for allowing a reduced affordability content.

There is nothing in the Plan which supports reducing the affordability levels in this manner. It sends completely the wrong message to developers.

My intention to submit the above comments was discussed with our trustees at their October meeting and this is contained in the meeting minutes. For Data Protection reasons it is not possible to obtain approval from every one of our 1400+ members, but this is not required under our Constitution.

**Modifications necessary to make the Local Plan compliant:**

Wherever a figure of 45% required affordability content appears, it should be replaced by a higher percentage. Ideally, this would be in the region of 75%, but it should certainly not go below the current level of 50%.

The "viability" provision should be deleted - it appears in the NPPF anyway.

The wording of these policies should be strengthened to provide a duty for members and planners to adhere to them. If evidence is required to support the premise that the use of viability assessments has

undermined the requirement to provide affordable housing, this can be found by reviewing applications at Chagford, Yelverton and Ashburton over the past five years.

**Authority response:**

National policy requires DNPA to take into consideration developer viability when determining proposals. This is necessary to ensure that development is viable in the National Park and the Local Plan's housing delivery objectives are met.

Viability appraisals are made publically available together with other application documents.

**Authority proposed action:**

None proposed.



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**Respondent Number:** 0176

**Name:** Angie Watson

**Organisation:** N/A

**On behalf of:**

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**Rep. Number:** 1

**Local Plan Section:** 3.6 **Paragraph/policy** Strategic Policy 3.3 (2)

**Is the Local Plan sound?:** No

**Is the Local Plan legally compliant?:** No

**Is the Local Plan compliant with the duty to co-operate?:**No

**Hearing session(s)?:** No, I do not wish to participate in hearing session(s)

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** No

**Detail of representation:**

Since the proposed development at Longstone Cross (0312/19) has come forward with a large development on a Greenfield site, and the DNP has announced its intention to be carbon-neutral by 2025..and there has been widespread declaration of a climate emergency, it has become clear that the Plan provides insufficient protection for greenfield sites. Strategic Policy 3.3.(2) Housing in local centres sub paragraph 4 allows too many loopholes for creeping development and the loss of greenfields ..this needs strengthening to prevent such abuses.

**Modifications necessary to make the Local Plan compliant:**

Strategic Policy 3.3 (2) Housing in Local Centres ..sub paragraph 4 ...should be replaced with:

"Developments will not be allowed on greenfield sites or adjoining the settlement boundary when unused brownfield sites within the settlement boundary are not developed "

This will require development to proceed on brownfield sites within settlement boundaries first and will provide more robust protection for greenfield sites, in line with other strategies and policies within the plan.

**Authority response:**

The National Park's indicative housing delivery number cannot be met without developing on some greenfield sites, further information on available development sites is available in the Development Sites Topic Paper and is supported by evidence in the Strategic Housing Land Availability Assessment. The new Biodiversity Net Gain Policy 2.3 (2) will ensure that loss of non-priority habitat in greenfields is compensated for in on and/or off-site provision of priority habitat.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0022

**Name:** Phil Hutt

**Organisation:** Dartmoor Preservation Association

**On behalf of:**

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**Rep. Number:** 1

**Local Plan Section:** 3.6 **Paragraph/policy** Strategic Policy 3.4 (2)

**Is the Local Plan sound?:** Yes

**Is the Local Plan legally compliant?:** No

**Is the Local Plan compliant with the duty to co-operate?:** Yes

**Hearing session(s)?:** Yes, I wish to participate in hearing session(s)

**Why?** For over 130 years, the DPA has campaigned for the protection of Dartmoor and enhancement of Dartmoor and been a voice against unacceptable developments. Our members and others on Dartmoor rely on us to continue doing so. It is important that a representative of the DPA attends hearing sessions, so as to be in a position to give our members authoritative information on the rationale for decisions on the Local Plan and the level of support, or otherwise, for them.

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

These policies provide that developments should contain 45% affordable housing, or an equivalent sum of money. They also allow developers to go below this figure when "a higher proportion of open market housing is proven essential for the viability of the development"

They do not represent the most appropriate strategy when considered against the reasonable alternatives. There is no evidence to suggest that these provisions are backed up by facts, or that local communities and others having a stake in this area would support them. The policies are discriminatory and will ensure that the social, environmental and economic objectives of sustainability set out in the Plan will NOT be achieved.

For several years, the DNPA has had a very weak record on enforcing affordable content, allowing percentages far below the current level of 50%. This has been justified on the grounds of viability assessments considered in private, on the grounds of commercial confidentiality - something which is completely unacceptable when the developer is, in effect, seeking a public subsidy. Indeed, to claim that a development is non-viable can only mean that the developer ignored, or failed to take account of, the affordability provision, or made some other commercial judgement which proved to be unsound. Neither of these are acceptable reasons for allowing a reduced affordability content.

**Modifications necessary to make the Local Plan compliant:**

Wherever a figure of 45% required affordability content appears, it should be replaced by a higher percentage. Ideally, this would be in the region of 75%, but it should certainly not go below the current level of 50%.

The "viability" provision should be deleted - it appears in the NPPF anyway.

The wording of these policies should be strengthened to provide a duty for members and planners to adhere to them. If evidence is required to support the premise that the use of viability assessments has undermined the requirement to provide affordable housing, this can be found by reviewing applications at Chagford, Yelverton and Ashburton over the past five years.

**Authority response:**

National policy requires DNPA to take into consideration developer viability when determining proposals. This is necessary to ensure that development is viable in the National Park and the Local Plan's housing delivery objectives are met.

Viability appraisals are made publically available together with other application documents.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0009

**Name:** Tristan Peat

**Organisation:** Mid Devon District Council

**On behalf of:**

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**Rep. Number:** 3

**Local Plan Section:** 3.6

**Paragraph/policy** Policy 3.3 (2)

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

[LATE COMMENT]

Strategic Policies 3.3 (1) Housing in Local Centres and 3.4 (1) Housing in Rural Settlements

It is unclear how 45% affordable housing can be secured on sites of up to 5 dwellings in Local Centres and 3 dwellings in Rural Settlements. National policy sets out that the provision of affordable housing should not be sought for residential developments that are not major developments (i.e. 10 or more dwellings), other than in designated rural areas (where the policies may set out a lower threshold of 5 units or fewer). Whilst the lower threshold is applicable for the Dartmoor National Park Plan Area, it is unclear how affordable housing will be secured on sites of 5 dwellings or fewer.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

DNPA's justification for this approach is set out in section 2.5 of the Housing Topic Paper.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0134

**Name:** Sarah Prince

**Organisation:**

**On behalf of:**

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**Rep. Number:** 1

**Local Plan Section:** 3.6

**Paragraph/policy** Strategic Policy 3.3 (2)

**Is the Local Plan sound?:** Yes

**Is the Local Plan legally compliant?:** No

**Is the Local Plan compliant with the duty to co-operate?:** Yes

**Hearing session(s)?:** Yes, I wish to participate in hearing session(s)

**Why?** I would be happy to participate in a hearing session, I don't consider it necessary.

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

The plan is not sufficiently robust to ensure a ban on creeping development on greenfields in the National Park. I did comment on the original plan, but the example of Longstone Cross and Tower Hill in Ashburton coming forward have made me realise that the Local Plan can be manipulated by developers to increase building especially with the use of Rural Exception Sites. Such development is against the Statutory Purpose of the National Park.

I would suggest the following addition to this policy:

'Development will not be allowed on greenfield sites or adjoining the settlement boundary when unused brownfield sites within the settlement boundary are not developed. '

**Modifications necessary to make the Local Plan compliant:**

I do not think the consultations for the Local Plan are sound. The existence of only written comments is discriminatory and the purpose of having a local consultation should be to accept and record verbal comment. Not everyone is able to write comments either on paper or online. It is therefore discriminatory in terms of access.

The process is too closed, for example only being able to comment on one paragraph or policy at a time.

Wider consultation is required with more information available in an accessible format for individuals to understand the implications of the plan which is complex.

**Authority response:**

The National Park's identified affordable housing need cannot be met without developing on some greenfield sites, further information on available development sites is available in the Development Sites Topic Paper and is supported by evidence in the Land Availability Assessment. Rural exception sites are an essential component of DNPA's housing policies, allowing affordable housing to come forward where there is an essential need for affordable housing which cannot be met within the settlement boundary. Longstone Cross, Ashburton is an allocated site, not a rural exception site.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0146

**Name:** Andrew Prince

**Organisation:**

**On behalf of:**

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**Rep. Number:** 1

**Local Plan Section:** 3.6 **Paragraph/policy** Strategic Policy 3.3 (2) Housing in Local Centres

**Is the Local Plan sound?:** Yes

**Is the Local Plan legally compliant?:** No

**Is the Local Plan compliant with the duty to co-operate?:** Yes

**Hearing session(s):** Yes, I wish to participate in hearing session(s)

**Why?** I am interested in all aspects of the Plan but, in particular, I want to make sure that all of the green principles set out in the earlier policies are carried forward when it comes to their practical application.

**Did respondent comment on Reg 18 Local Plan?:** No

**Detail of representation:**

Since the proposed development at Longstone Cross (Application 0312/19) has come forward with a substantial development on a greenfield site, since the DNP has announced its intention to be carbon-neutral by 2025 and there has been a widespread declaration of a climate emergency, it has become clear that the Plan provides insufficient protection for greenfield sites. Strategic Policy 3.3 (2) Housing in Local Centres Sub-paragraph 4 allows too many loopholes for creeping development and the loss of greenfields and needs strengthening to prevent such abuses.

**Modifications necessary to make the Local Plan compliant:**

Strategic Policy 3.3 (2) Housing in Local Centres Sub-paragraph 4 should be replaced with: "Developments will not be allowed on greenfield sites or adjoining the settlement boundary when unused brownfield sites within the settlement boundary are not developed." This will require development to proceed on brownfield sites within settlement boundaries first and will provide more robust protection for greenfield sites, in line with other strategies and policies within the Plan.

**Authority response:**

The National Park's identified affordable housing need cannot be met without developing on some greenfield sites, further information on available development sites is available in the Development Sites Topic Paper and is supported by evidence in the Strategic Housing Land Availability Assessment

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0132

**Name:** Bas PAYNE

**Organisation:** Moretonhampstead Parish Council

**On behalf of:**

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**Rep. Number:** 9

**Local Plan Section:** 3.6

**Paragraph/policy** Policy 3.3 (2)

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

The policy is unchanged [from Reg 18 comment]. The discussion has been expanded, but probably doesn't go far enough to make much difference.

See comment above on Policy 3.1. Given the present ratio between local wage levels and local house process; we feel that the only solution at present is to do more to increase the supply of social rented housing.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

The Local Plan pursues an approach to housing delivery based on identifying local needs through a housing needs assessment and then meeting those needs with the most appropriate affordable housing type. This may well result in mostly affordable rented accommodation, but it allows the evidence to determine the housing type rather than fixing it in policy. This is an appropriate approach to meet local needs in a designated landscape.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0096

**Name:** Peter Grubb

**Organisation:** Sticklepath PC

**On behalf of:**

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**Rep. Number:** 2

**Local Plan Section:** 3.6

**Paragraph/policy** Policy 3.4 (2)

**Is the Local Plan sound?:**

No

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

It requires "a significant improvement in energy efficiency which could not be achieved by modification or adaptation of the existing dwelling" but is not specific and provides no measurable parameters. It is not therefore effective.

New housing should have solar panels on roofs where feasible or other forms of achievable renewable energy infrastructure, including District Heating where feasible. In locations where there is no mains gas, there is a great opportunity to introduce wood pellet boilers or similar to discourage oil based heating systems. This should be coupled with high levels of insulation. The plan provides no measurable requirements for this approach so it is not effective in ensuring new housing takes all available opportunities to reduce carbon emissions.

A fundamental principle of the NPPF's environmental ambition is supporting a transition to the low carbon economy, through encouraging the reuse of existing resources and use of renewable resources (including renewable energy) to minimise our impact on climate change.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

Policy 1.7 requires a 10% improvement in a dwelling's energy efficiency above current building regulations standards. The policy requires this to be delivered by a fabric first approach.

The policy position is a careful balance taking into consideration various policy alternatives, development viability and national policy. A full discussion on how the Authority has arrived at this policy position is available in the Reducing CO2 emissions in new development policy research and recommendations paper and the Design and the Built Environment Topic Paper.

**Authority proposed action:**

None proposed



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**Respondent Number:** 0096

**Name:** Peter Grubb

**Organisation:** Sticklepath PC

**On behalf of:**

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**Rep. Number:** 5

**Local Plan Section:** 3.6

**Paragraph/policy** Policy 3.4 (2)

**Is the Local Plan sound?:** Yes

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

The Housing strategy for Rural Settlements (which includes Sticklepath) is supported. It is considered a sound policy

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0048

**Name:** Andy Stokes

**Organisation:** Buckfastleigh Town Council

**On behalf of:**

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**Rep. Number:** 13

**Local Plan Section:** 3.6

**Paragraph/policy** Policy 3.6 (2)

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

3.6 Custom and self-build housing

We welcome the positive approach to self-build housing where it encourages and supports building of homes directly for, or on behalf of local people in need, as this precludes development solely for profit and meets a real need. However, we are puzzled by 3.6(1) c) (p69) that states proposals will also be encouraged for unrestricted market housing. The definition of Custom or Self-build on the same page states that Custom or self-build housing means the building or completion of a house by:

- individuals;
- associations of individuals; or
- people working with or for individuals or associations of individuals, of (sic) houses to be occupied as homes by those individuals.

...it is not clear how this corresponds with permission for these as unrestricted market housing and we do not support encouraging that.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

The policy allows self and custom build proposals to come forward in accordance with the policies 3.3 - 3.5 (2). In Local Centres and Rural Settlements self and custom build will be supported without the need for affordable housing provision where these are restricted to local occupancy only and restricted in size to 93m<sup>2</sup>.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0187

**Name:** Simon Collier

**Organisation:** Collier Planning

**On behalf of:** Baker Estates Ltd.

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**Rep. Number:** 5

**Local Plan Section:** 3.6

**Paragraph/policy** Policy 3.3 (2)

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

Draft Strategic Policy 3.1 states that allocated sites should only come forward when they are needed. Draft paragraph 7.1.9 explains that this would mean that if there is not a current identified need for affordable housing, development should not come forward. Again, this does not allow for the potential application of VBC on allocated sites which might significantly reduce the amount of affordable housing required and which instead can provide an appropriate mix of market housing to meet the needs of the Park's communities.

Draft paragraph 3.2.2 makes it clear that having a mix of available housing is vital to ensuring Dartmoor's communities are inclusive and sustainable. It states, "This means ensuring that there is a mix of housing to meet the needs of first time buyers, elderly downsizers, the disabled as well those unable to afford open market prices. To support the housing and economic strategies, any new open market housing should therefore be of a mix of house types and sizes which enable and encourage younger families to live and work within Dartmoor's communities".

Strategic Policies 3.1, 3.2 and 3.3 should therefore make it very clear that where VBC is applicable and reduces the amount of affordable housing that is required, in accordance with national policy to promote the use of previously developed sites, proposals can still come forward in a manner that responds to the market housing needs identified in draft paragraph 3.3.2. Otherwise, as these policies currently read, no development would be able to come forward on sites where VBC is applicable, which would run entirely contrary to national policy. A consistent message throughout the NPPF is for brownfield land to be prioritised for development and paragraph 118 states that "substantial weight" should be given to the value of using suitable brownfield land within settlements for homes. Development for new homes on suitable brownfield land, particularly within the main settlements, would conserve and enhance the natural beauty of the Park by reducing the need to build on greenfield land. Even where the application of VBC on such sites would reduce the amount of affordable housing required, proposals for market housing of an appropriate mix to meet local needs will foster the economic and social well-being of the local community by improving the quality of the local housing stock, creating employment through the construction, increasing economic activity and providing a mix and range of housing of which there is a shortage within the Park.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

The justification for new housing being acceptable in the National Park is it meeting local affordable housing needs, supporting local employment opportunities and key services. This is made clear in the

National Park Circular. Development of a brownfield site is not in its own right sufficient justification for new housing development to come forward in a National Park, the broader benefits of developing the site need to be demonstrated consistent with the Circular. The approach recommended in the representation would therefore undermine the national policy approach for National Parks.

Policies in the Local Plan allow development sites to come forward where VBC is applicable, this is most plainly demonstrated by the support given to the Thompson's Haulage Depot site through allocation.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0182

**Name:** Michael Cranmer

**Organisation:**

**On behalf of:**

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**Rep. Number:** 1

**Local Plan Section:** 3.6 **Paragraph/policy** Strategic Policy 3.3 (2)

**Is the Local Plan sound?:** No

**Is the Local Plan legally compliant?:** No

**Is the Local Plan compliant with the duty to co-operate?:**No

**Hearing session(s)?:** Yes, I wish to participate in hearing session(s)

**Why?** I want to be able to challenge and cross-examine

**Did respondent comment on Reg 18 Local Plan?:** No

**Detail of representation:**

Since the proposed development at Longstone Cross (Application 0312/19) has come forward with a substantial development on a greenfield site, since the DNP has announced its intention to be carbon-neutral by 2025 and there has been a widespread declaration of a climate emergency, it has become clear that the Plan provides insufficient protection for greenfield sites. Strategic Policy 3.3 (2) Housing in Local Centres Sub-paragraph 4 allows too many loopholes for creeping development and the loss of greenfields and needs strengthening to prevent such abuses.

**Modifications necessary to make the Local Plan compliant:**

Strategic Policy 3.3 (2) Housing in Local Centres Sub-paragraph 4 should be replaced with: "Developments will not be allowed on greenfield sites or adjoining the settlement boundary when unused brownfield sites within the settlement boundary are not developed." This will require development to proceed on brownfield sites within settlement boundaries first and will provide more robust protection for greenfield sites, in line with other strategies and policies within the Plan.

**Authority response:**

The National Park's indicative housing delivery number cannot be met without developing on some greenfield sites, further information on available development sites is available in the Development Sites Topic Paper and is supported by evidence in the Strategic Housing Land Availability Assessment. The new Biodiversity Net Gain Policy 2.3 (2) will ensure that loss of non-priority habitat in greenfields is compensated for in on and/or off-site provision of priority habitat.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0057

**Name:** John Coxon

**Organisation:** Emery Planning

**On behalf of:** Wainhomes Ltd.

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**Rep. Number:** 4

**Local Plan Section:** 3.6

**Paragraph/policy** Policy 3.3(2)

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:** Yes, I wish to participate in hearing session(s)

**Why?** To respond to the Inspectors questions and the Council's case/hearing statements. The evidence and issues are complex and require thorough interrogation

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

Strategic Policy 3.3 (2) Housing in Local Centres

4.27 Part 4 of Policy 3.3 states:

"Exceptionally, where there is an identified need for affordable housing which cannot be met within the settlement boundary new housing development will be approved on suitable sites which are adjoining the settlement boundary. Development on these sites must comprise 100% affordable housing. This may be varied only where:

a) it is proven essential for the viability of the development and comprises not less than 75% affordable housing; or

b) a development is providing community infrastructure which is proven necessary within the wider settlement, that any reduction in affordable housing is proportionate to the infrastructure provided and the development comprises not less than 45% affordable housing."

4.28 The policy is supported in principle. As set out elsewhere within these representations, our client controls a significant area of land to the south of at South Brent which has the potential to deliver significant community benefits as part of a residential development.

4.29 However in relation criterion a) of the policy, we consider that a greater proportion of market housing should be allowed. This would provide a greater degree of flexibility and scope to deliver affordable housing in areas of significant need. Of note the Cornwall Local Plan: Strategic Policies (Policy 9) includes a rural exception policy with an allowance of up to 50% market housing. In our view this is a more appropriate balance where the mix can be justified by viability evidence.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

The exception site policy is unchanged from the adopted plan and is demonstrated sound by the fact that it has delivered effectively throughout the plan period, in most cases without the need for cross-subsidy.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0179

**Name:** Cathy Dobson

**Organisation:**

**On behalf of:**

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**Rep. Number:** 1

**Local Plan Section:** 3.6 **Paragraph/policy** Strategic policy 3.3 (2)

**Is the Local Plan sound?:** No

**Is the Local Plan legally compliant?:** No

**Is the Local Plan compliant with the duty to co-operate?:**No

**Hearing session(s)?:** No, I do not wish to participate in hearing session(s)

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** No

**Detail of representation:**

I am commenting at this stage in the light of three factors which have come forward since the initial consultation: the proposed development at Longstone Cross, Ashburton (Application 0312/19) which will involve substantial development on a greenfield site; DNP's announcement of its intention to be carbon-neutral by 2020; and the widespread declaration of a climate emergency. In view of these 3 factors it is clear that the Plan does not provide adequate protection for greenfield sites. Strategic Policy 3.3 (2) Housing in Local Centres sub-paragraph 4 allows too many loopholes for creeping development and the loss of greenfields and needs strengthening to prevent such abuses.

**Modifications necessary to make the Local Plan compliant:**

Strategic Policy 3.3 (2) Housing in Local Centres sub-paragraph 4 should be replaced with: "Developments will not be allowed on greenfield sites or adjoining the settlement boundary when unused brownfield sites within the settlement boundary are not developed". This will require development to proceed on brownfield sites within settlement boundaries first and will provide more robust protection for greenfield sites, in line with other strategies and policies within the Plan.

**Authority response:**

The National Park's indicative housing delivery number cannot be met without developing on some greenfield sites, further information on available development sites is available in the Development Sites Topic Paper and is supported by evidence in the Strategic Housing Land Availability Assessment. The new Biodiversity Net Gain Policy 2.3 (2) will ensure that loss of non-priority habitat in greenfields is compensated for in on and/or off-site provision of priority habitat.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0178

**Name:** Mary Gretton

**Organisation:**

**On behalf of:**

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**Rep. Number:** 1

**Local Plan Section:** 3.6 **Paragraph/policy** Strategic Policy 3.3 (2)

**Is the Local Plan sound?:** No

**Is the Local Plan legally compliant?:** No

**Is the Local Plan compliant with the duty to co-operate?:**No

**Hearing session(s)?:** No, I do not wish to participate in hearing session(s)

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** No

**Detail of representation:**

Since the proposed development at Longstone Cross (Application 0312/19) has come forward with a substantial development on a greenfield site, since the DNP has announced its intention to be carbon-neutral by 2025 and there has been a widespread declaration of a climate emergency, it has become clear that the Plan provides insufficient protection for greenfield sites. Strategic Policy 3.3 (2) Housing in Local Centres Sub-paragraph 4 allows too many loopholes for creeping development and the loss of greenfields and needs strengthening to prevent such abuses.

The formation of Devon County Council's recently formed Net-Zero Task Force also supports a carbon neutral goal.

**Modifications necessary to make the Local Plan compliant:**

Strategic Policy 3.3 (2) Housing in Local Centres Sub-paragraph 4 should be replaced with:

"Developments will not be allowed on greenfield sites or adjoining the settlement boundary when unused brownfield sites within the settlement boundary are not developed." This will require development to proceed on brownfield sites within settlement boundaries first and will provide more robust protection for greenfield sites, in line with other strategies and policies within the Plan.

**Authority response:**

The National Park's indicative housing delivery number cannot be met without developing on some greenfield sites, further information on available development sites is available in the Development Sites Topic Paper and is supported by evidence in the Strategic Housing Land Availability Assessment. The new Biodiversity Net Gain Policy 2.3 (2) will ensure that loss of non-priority habitat in greenfields is compensated for in on and/or off-site provision of priority habitat.

**Authority proposed action:**

None proposed.



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**Respondent Number:** 0173

**Name:** Linda Siegle

**Organisation:**

**On behalf of:**

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**Rep. Number:** 1

**Local Plan Section:** 3.6 **Paragraph/policy** Strategic Policy 3.3 (2)

**Is the Local Plan sound?:** Yes

**Is the Local Plan legally compliant?:** No

**Is the Local Plan compliant with the duty to co-operate?:** Yes

**Hearing session(s)?:** Yes, I wish to participate in hearing session(s)

**Why?** Since launching this Local Plan process and consultation DNPA has announced its aim to become carbon neutral by 2025 in line with the climate emergency that has been widely declared. Unless the protection of greenfield sites within the National Park is taken seriously and policy matches rhetoric in this respect, another opportunity to address this problem will be lost. The National Parks have a duty to be leaders in this field and to set an example in planning policy. If you do not - who will?

**Did respondent comment on Reg 18 Local Plan?:** No

**Detail of representation:**

Since the proposed development at Longstone Cross (Application 0312/19) has come forward with a substantial development on a greenfield site, since the DNP has announced its intention to be carbon-neutral by 2025 and there has been a widespread declaration of a climate emergency, it has become clear that the Plan provides insufficient protection for greenfield sites. Strategic Policy 3.3 (2) Housing in Local Centres Sub-paragraph 4 allows too many loopholes for creeping development and the loss of greenfields and needs strengthening to prevent such encroachment.

**Modifications necessary to make the Local Plan compliant:**

Strategic Policy 3.3 (2) Housing in Local Centres Sub-paragraph 4 should be replaced with: "Developments will not be allowed on greenfield sites or adjoining the settlement boundary when unused brownfield sites within the settlement boundary are not developed." This will require development to proceed on brownfield sites within settlement boundaries first and will provide more robust protection for greenfield sites, in line with other strategies and policies within the Plan.

**Authority response:**

The National Park's indicative housing delivery number cannot be met without developing on some greenfield sites, further information on available development sites is available in the Development Sites Topic Paper and is supported by evidence in the Strategic Housing Land Availability Assessment. The new Biodiversity Net Gain Policy 2.3 (2) will ensure that loss of non-priority habitat in greenfields is compensated for in on and/or off-site provision of priority habitat.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0041

**Name:** Joan Banks

**Organisation:** BRIDFORD PARISH COUNCIL

**On behalf of:**

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**Rep. Number:** 4

**Local Plan Section:** 3.6

**Paragraph/policy** Policy 3.3 (2)

**Is the Local Plan sound?:** No

**Is the Local Plan legally compliant?:** Yes

**Is the Local Plan compliant with the duty to co-operate?:**No

**Hearing session(s)?:** No, I do not wish to participate in hearing session(s)

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

This Policy is on page 69.

☐ In our opinion the draft Local Plan has an unjustified obsession with affordable housing which has led to some inappropriate draft policies such as the requirement for housing in local centres to comprise not less than 45 per cent affordable housing. ☐ This however is just one example because a word search for "affordable" produces 234 results and so affordable housing permeates much of the draft Local Plan. ☐ We agree that there are national issues with the supply of affordable housing. The root cause of this problem has been a failure of house building to keep up with the demand for housing. The solution is for the nation, but not its national parks, to build more homes. ☐ There is no explanation for the requirement for 45 per cent of new dwellings on allocated sites to be affordable, why 45 per cent? Housing and affordable housing in particular needs to be matched with opportunities for employment rather than an arbitrary percentage of new dwellings. ☐ In our opinion the trends identified in 3.1.2 have been misinterpreted. ☐ The data indicating high housing unaffordability is, for the reasons previously stated, invalid. ☐ There is no reduction in the working age population except for a small reduction in those aged between 50 and 60 and furthermore there is a large net surplus of skills and labour, so it will not be increasingly difficult for local businesses to recruit and retain staff. ☐ The existing drift of the more infirm and elderly away from Dartmoor is likely to gather pace and will keep in check any increases in under-occupancy by the old. ☐ There is no decrease in the population below the age of 50 and so there will not be any decrease in demand for services and facilities for younger people or any increasing difficulty to sustain them in smaller communities. ☐ Notwithstanding that the Local Plan has failed to demonstrate a housing need we nevertheless agree that there should be some strictly limited increases in housing, mixed in terms of size, type and tenure, to help sustain Dartmoor's communities and to help keep them vibrant.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

Affordable housing is defined at section 3.4 of the Local Plan.

Full justification for the level of housing growth proposed is available in the Housing and Economy Topic Paper.

**Authority proposed action:**

None proposed.



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**Respondent Number:** 0055

**Name:** Ed Persse

**Organisation:** EJFP Planning Ltd

**On behalf of:** Mr A Lopes

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**Rep. Number:** 4

**Local Plan Section:** 3.6

**Paragraph/policy** Policy 3.6 (2)

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:** Yes, I wish to participate in hearing session(s)

**Why?** To expand on the points made above

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

The policy as written is too restrictive and should have greater flexibility. The main concern comes with criteria 2(a) and 2(b).

**Modifications necessary to make the Local Plan compliant:**

The policy should be amended in relation to criterion 2(a) to reflect the guidance set out in the nationally described space standards. This would give greater clarity and flexibility to the provision of affordable housing; this flexibility will ensure that the identified need for settlements can be met and not shoehorned into the current inflexible approach currently proposed.

In terms of criterion 2(b) it is not clear why the 93m<sup>2</sup> is required or justified in relation to selfbuild or custom build local person housing. To qualify for local person occupation there is no requirement to be in housing need, in addition the pre-ambles to the policy states at paragraph 3.7.2 that Homes are tailored to the needs of the occupant, meaning also they are more likely to stay in the home and the community for longer. The policy does not reflect the guidance and unduly restricts without justification the size of these dwellings. It is therefore considered that the restrictions set out in criterion 2(b) should be removed. If it is considered that there is a need for restrictions, then these should be more reflective of open market standards.

**Authority response:**

The size restriction is necessary to avoid a workaround to the National Park's affordable housing policies. Local needs self and custom build is allowed in some circumstances without the need to provide affordable housing. This is to acknowledge that this housing type can meet a need within the National Park. However, this approach can also undermine affordable housing delivery. Restricting size ensures that the housing coming forward is most likely to meet the needs of Dartmoor's population which faces significant affordability issues evidenced in the Housing Topic Paper.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0131

**Name:** Hazel Jones

**Organisation:**

**On behalf of:**

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**Rep. Number:** 16

**Local Plan Section:** 3.6

**Paragraph/policy** Policy 3.3 (2)

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

p69 A lighting management plan consistent with International Dark skies Association guidelines should be submitted for all developments. <https://www.darksky.org/wp-content/uploads/2018/12/IDSP-Guidelines-2018.pdf>

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

It is not possible to introduce such a requirement until Dark Sky status has been achieved.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0086

**Name:** Stephen Hutchins

**Organisation:**

**On behalf of:**

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**Rep. Number:** 4

**Local Plan Section:** 3.6 **Paragraph/policy** Policy 3.4 (2)

**Is the Local Plan sound?:** Yes

**Is the Local Plan legally compliant?:** Yes

**Is the Local Plan compliant with the duty to co-operate?:** Yes

**Hearing session(s)?:** Yes, I wish to participate in hearing session(s)

**Why?** As a local resident for 38 years standing I would like to put over in person the importance of being able to stay in the village where I brought up a family, provided local jobs and supported the village community and other villagers.

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

[LATE COMMENT]

Part 4 of Strategic Policy 3.4(2) Housing in Rural Settlements, should be more flexible and allow for the development of local needs custom and self-build for those families/individuals who have a strong connection to the Park and rural settlement to which a site is located and not be restricted to 'affordable housing'; particularly where the housing needs of local people is acknowledged as being different to affordable housing need. Therefore we request that a 'Part C' be added to this policy, permitting local needs custom and self-build housing to be built where the applicant can demonstrate qualification of a local person.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

Local needs custom and self-build housing is supported within settlements as set out in Policy 3.3, 3.4, 3.5 and 3.6.

**Authority proposed action:**

None proposed

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**Respondent Number:** 0172

**Name:** Jonathan Siegle

**Organisation:**

**On behalf of:**

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**Rep. Number:** 1

**Local Plan Section:** 3.6 **Paragraph/policy** Strategic Policy 3.3 (2)

**Is the Local Plan sound?:** Yes

**Is the Local Plan legally compliant?:** No

**Is the Local Plan compliant with the duty to co-operate?:** Yes

**Hearing session(s)?:** No, I do not wish to participate in hearing session(s)

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** No

**Detail of representation:**

Since the proposed development at Longstone Cross (Application 0312/19) has come forward with a substantial development on a greenfield site, since the DNP has announced its intention to be carbon-neutral by 2025 and there has been a widespread declaration of a climate emergency, it has become clear that the Plan provides insufficient protection for greenfield sites. Strategic Policy 3.3 (2) Housing in Local Centres Sub-paragraph 4 allows too many loopholes for creeping development and the loss of greenfields and needs strengthening to prevent such abuses.

**Modifications necessary to make the Local Plan compliant:**

Strategic Policy 3.3 (2) Housing in Local Centres Sub-paragraph 4 should be replaced with: "Developments will not be allowed on greenfield sites or adjoining the settlement boundary when unused brownfield sites within the settlement boundary are not developed." This will require development to proceed on brownfield sites within settlement boundaries first and will provide more robust protection for greenfield sites, in line with other strategies and policies within the Plan.

**Authority response:**

The National Park's indicative housing delivery number cannot be met without developing on some greenfield sites, further information on available development sites is available in the Development Sites Topic Paper and is supported by evidence in the Land Availability Assessment. The new Biodiversity Net Gain Policy 2.3 (2) will ensure that loss of non-priority habitat in greenfields is compensated for in on and/or off-site provision of priority habitat.

**Authority proposed action:**

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**Respondent Number:** 0206

**Name:** Des Dunlop

**Organisation:** D2 Planning Limited

**On behalf of:** Pearce Fine Homes

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**Rep. Number:** 6

**Local Plan Section:** 3.6 **Paragraph/policy** 3.4 (2)

**Is the Local Plan sound?:** No

**Is the Local Plan legally compliant?:** No

**Is the Local Plan compliant with the duty to co-operate?:**No

**Hearing session(s):** Yes

**Why?** Issues raised need to be the subject of discussion and debate

**Did respondent comment on Reg 18 Local Plan?:** No

**Detail of representation:**

We believe that this policy needs to have an additional criteria which identifies greenfield sites for residential development if housing need in the National Park is to be met.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

The policy does not differentiate between greenfield and brownfield sites. Greenfield sites are identified in the plan to deliver the housing strategy.

**Authority proposed action:**

None proposed.



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**Respondent Number:** 0211

**Name:** Ed Persse

**Organisation:** EJFP Planning Ltd.

**On behalf of:** The Walkhampton Trust

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**Rep. Number:** 1

**Local Plan Section:** 3.6 **Paragraph/policy** Policy 3.4 (2)

**Is the Local Plan sound?:** No

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:** Yes, I wish to participate in hearing session(s)

**Why?** To make the case to the Inspector

**Did respondent comment on Reg 18 Local Plan?:** No

**Detail of representation:**

Conflict between housing policy and settlement limits

**Modifications necessary to make the Local Plan compliant:**

The policy (3.4(2)) for settlements such as Walkhampton allows for infill development therefore the settlement limit should not preclude obvious infill sites.

[see enclosed map]

**Authority response:**

Settlement boundaries are drawn in accordance with the methodology stated at section 4 of the Vision and Spatial Strategy Topic Paper. Land which has development potential is not automatically included within settlement boundaries.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0184

**Name:** Andrew Kirby

**Organisation:** Andrew Kirby Architects Ltd.

**On behalf of:** David Booth (Landowner)

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**Rep. Number:** 3

**Local Plan Section:** 3.7 **Paragraph/policy** Policy 3.6 (2)

**Is the Local Plan sound?:** Yes

**Is the Local Plan legally compliant?:** Yes

**Is the Local Plan compliant with the duty to co-operate?:** Yes

**Hearing session(s):** Yes, I wish to participate in hearing session(s)

**Why?** We consider our proposals for the site and policies would be beneficial to the hearing.

**Did respondent comment on Reg 18 Local Plan?:** No

**Detail of representation:**

We would support the plan in relation to the policies identified, where it specifically meets the aspirations of the allocated land and the land owner referenced in this consultation representation and the attached document. The purpose of this representation is to tie the allocation of Land off Lamb Park to the policies raised above and the proposed strategy presented for this site.

Site edged red on the attached plans – Ref 1904 001 and 004.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

**Authority proposed action:**

None proposed

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**Respondent Number:** 0059

**Name:** David Kiernan

**Organisation:** Teignbridge District Council

**On behalf of:**

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**Rep. Number:** 3

**Local Plan Section:** 3.7

**Paragraph/policy** Policy 3.6 (2)

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

3.7 Custom and Self Build Housing / Policy 3.6 (2)

Policy 3.6 - Custom and Self Building Housing, item 2a restricts the size of the dwelling to 93m2.

Teignbridge support the approach of floor area restriction but there is currently a potential conflict between Dartmoor's maximum size and Teignbridge's which stands at 100m2.

In terms of cross boundary sites, it is possible that the same product could have different size limits depending on which side of the boundary they stand.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

Dartmoor falls across four Local Authority areas, it is not possible nor desirable to be consistent with all Authorities' policies. Dartmoor has acute affordability issues which justifies private affordable housing size threshold, where there is also a tendency over specify houses. The size restriction for local needs self and custom build is only applicable where the self and custom build dwelling is in lieu of an affordable dwelling, otherwise the size restriction applied would be that expressed in policy 3.2 (2). Further discussion of size restrictions is discussed in section 6.8 of the Housing Topic Paper and the Design and Built Environment Topic Paper.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0132

**Name:** Bas PAYNE

**Organisation:** Moretonhampstead Parish Council

**On behalf of:**

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**Rep. Number:** 10

**Local Plan Section:** 3.7

**Paragraph/policy** Policy 3.6 (2)

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

No change [from Reg 18 comment].

It is a pity that DNPA finds it easier to prevent than to encourage.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0180

**Name:** Gabrielle Ceriden Morse

**Organisation:**

**On behalf of:**

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**Rep. Number:** 1

**Local Plan Section:** 3.8 **Paragraph/policy** Policy 3.7(2)

**Is the Local Plan sound?:** Yes

**Is the Local Plan legally compliant?:** No

**Is the Local Plan compliant with the duty to co-operate?:** Yes

**Hearing session(s)?:** No, I do not wish to participate in hearing session(s)

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** No

**Detail of representation:**

Proposed Policy 3.7(2) "Residential alterations, extensions and outbuildings"™.

The Final Draft Local Plan states that it proposes to supersede the adopted Local Plan Policy DMD25 "Ancillary residential development"™ with a replacement; Policy 3.7(2) "Residential alterations, extensions and outbuildings"™.

The draft policy not consistent with the National Planning Policy Framework and therefore this policy is unsound.

(1)The draft policy 3.7(2) merges previous policy relating to ancillary use of outbuildings with that relating to extensions and the creation of new dwellings. In doing so, it muddies the water and prevents applications for the use of outbuildings for ancillary use to be determined fairly and on their own merits.

Whilst it is understood and reasonable that the planning authority should wish to prevent uncontrolled increases in the size of properties, the policy, as drafted, is out of step with national planning policy, is unjustified and unreasonable. Ancillary use of an outbuilding should not be confused with an extension to the main dwelling house, nor with the creation of new dwellings.

The DNP should follow national planning policy whereby ancillary use of an outbuilding is permitted, based upon a clear, uncomplicated and just basis. Critically, as drafted, the Final Draft Local Plan and more specifically Policy 3.7(2), makes no specific reference to "ancillary use"™. It appears merely in the context of the index of replacement policies; stating that adopted Policy DMD25 is to be replaced with draft Policy 3.7(2).

(2)Draft policy 3.7(2) also introduces a restriction on the area of an outbuilding which is to be used for ancillary use, restricting it on the basis that it does not increase the habitable floorspace of the original dwelling by more than 30%. The need for this part of the policy, in terms of reference to a 30% restriction, is not justified and serves only to cause confusion and conflict.

If the draft policy 3.7(2) were to be adopted as proposed, with a 30% restriction, it would create a complex and confusing situation whereby one property would be permitted to use an outbuilding for ancillary use, yet another would not be able to do so, based upon the fact that the later example had, at some time in the past, increased its size by 30%.

The reference to 30% is entirely arbitrary and does not help the sensible determination of an application on its merits. If the DNPA had particular concerns about a scheme it could refuse planning permission. Alternatively, it could impose a condition to restrict the ancillary use with the option to specify, should it wish, the permitted range of ancillary uses allowed. If need be, and subject to the relevant guidance on

the use of conditions versus the use of planning obligations, a planning obligation could be sought.

**Modifications necessary to make the Local Plan compliant:**

Draft Policy 3.7(2) causes confusion. The Policy should not merge ancillary use, extensions and new dwellings into one long winded and cluttered policy. The 30% restriction is entirely arbitrary. It adds nothing to the sensible consideration of a scheme on its merits; and nothing to the Policy that preceded it which has no such restriction. On the above basis, it is asked that draft Policy 3.7(2) should be adopted but without reference to ancillary use.

Ancillary use should be controlled (i) by a separate policy and also; (ii) without reference to the 30% restriction.

**Authority response:**

The 30% rule is intended to manage both affordability and design of houses. Including outbuildings in the initial floorspace calculation would not uphold the policy's design objectives. To ensure the policy does not incentivise creation of converted outbuildings to circumvent the policy it seems appropriate to include this in the floorspace which contributes to the rule being met. This is discussed in further detail in section 9.3 of the Housing Topic Paper.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0018

**Name:** Christine Chapman

**Organisation:**

**On behalf of:**

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**Rep. Number:** 1

**Local Plan Section:** 3.8

**Paragraph/policy**

**Is the Local Plan sound?:** Yes

**Is the Local Plan legally compliant?:** No

**Is the Local Plan compliant with the duty to co-operate?:** Yes

**Hearing session(s)?:** No, I do not wish to participate in hearing session(s)

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

We consider the plan unsound in respect of 3.8.9 bullet point 3 for the following reasons. These comments are the views of 2 people - Christine Chapman and David Spratt.

Paragraph 3.8.9 bullet point 3 (‘they should be on the side or rear of the property, not on the front’) is eminently sensible in an urban environment or in those rural locations where a row or traditional street of houses with easily defined front of houses are facing the highway.

However it is inappropriate and may therefore not be sound if applied to homes in those locations within the Dartmoor National Park where a typical street structure does not exist. What is a suitable policy for typical street layouts in the urban environment may be counterproductive for several reasons if applied to the highly variable positioning of homes in the rural environment across Dartmoor.

Many Dartmoor homes especially those in villages or edges of towns/villages have been built at various angles to the nearest highway for a number of reasons. The location of the front door of a Dartmoor home and thus the front aspect of homes across Dartmoor can be highly variable and may not have the easily recognised urban front, rear and side aspects.

The positioning of a Dartmoor home relative to the nearest highway may have been for the property to be south facing to capture the warmth of the sun – thus helping the energy efficiency of the property. This links with paragraph 3.8.11 in respect of energy efficiency. Another reason for the facing of a Dartmoor home relative to the highway may be to ensure that the property and access to it avoided especially wet or steep areas of land or various other reasons that may dictate where best to situate and face a property within its landscape and relative to the nearest highway.

Where homes on Dartmoor are for example situated sideways onto the nearest highway rather than facing the highway and/or where a property is a distance from the highway and for all intents and purposes out of sight there appears to be no sound reason to prohibit extensions on the front of the property especially when that would be the most suitable location for an extension in respect of energy efficiency (e.g. south facing solar gain) and/or to sit best in its environment and surrounding landscape and/or if by locating an extension on the front of the property in such locations it better avoids boggy ground or steep inclines etc and/or to avoid visual intrusion re neighbouring properties and highway.

Furthermore in rural locations an extension on the front aspect of a home depending on the situation of a rural property relative to the highway, to any neighbouring properties and how it sits within its environment – may in fact make development on the front aspect of a location the much preferred option – i.e. with least impact on neighbouring properties, highway or surrounding landscape as well as for energy efficiency.

The requirement within the draft Local Plan that residential extensions within the Dartmoor National Park "they should be on the side or rear of the property, not on the front" is therefore possibly unsound as it fails to take into consideration the true nature of rural homes across Dartmoor especially in villages where the front of the property:-

- \* may not be the aspect of the property facing the highway
- \* may not be the aspect of the property seen by neighbours and visitors
- \* may not be the most visible aspect of the property within the local environment and landscape.

This appears to be an urban planning policy that is inappropriate for many rural properties on Dartmoor.

Some degree of flexibility therefore needs to be drafted into the final version of the Local Plan to take into consideration the variable nature of rural properties on Dartmoor - with a willingness to permit (in some cases encourage as the preferred option) developments on the front of rural homes where in certain situations that would in fact be the better option for a particular property in a particular location.

It can make no sense to insist that an extension will only be granted planning permission if it is built on a cold north or east facing aspect of a Dartmoor property, or a west facing aspect adjacent the highway when it could instead if this rule was relaxed be built on the front of selected rural properties " perhaps south facing thus being more energy efficient re solar gain and/or causing least visual intrusion to neighbours, highway and local environment depending on individual locations.

#### **Modifications necessary to make the Local Plan compliant:**

If you could possibly add some further text to 3.8.9 to better recognise the highly variable nature of the location and positioning of rural homes across Dartmoor and why in some instances developments such as extensions would in fact be better built on the front of some homes rather than on the rear or on the side as stated within the draft Local Plan. Some flexibility needs to be incorporated into the Local Plan that better reflects the actual positioning and location of many Dartmoor homes. Something as simple as stating that where the front of a home is not the aspect of the property that faces the highway (e.g. for those homes where it is instead the side gable wall that faces the highway) that this policy may be relaxed especially where for other material reasons the front of the property would actually be the better aspect for an extension.

A small change to the text of the local plan in respect of 3.8.9 Bullet Point 3 would ensure that the Local Plan better reflected the diverse positioning of Dartmoor Homes within the rural landscape and would thus ensure the soundness of the new Local Plan in this regard.

#### **Authority response:**

The criterion is intended as general guidance for most circumstances and is a sound and well established principle. The criterion can be applied flexibly where the local context justifies it. It is not policy and is caveated with 'should'. As set out in the 'understanding the Local Plan' section "should' is used for minimum best practice guidance you should follow unless there's good reason (supported by evidence) not to'.

#### **Authority proposed action:**

None proposed.



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**Respondent Number:** 0096

**Name:** Peter Grubb

**Organisation:** Sticklepath PC

**On behalf of:**

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**Rep. Number:** 3

**Local Plan Section:** 3.8

**Paragraph/policy** Policy 3.8 (2)

**Is the Local Plan sound?:**

No

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

It requires "a significant improvement in energy efficiency which could not be achieved by modification or adaptation of the existing dwelling" but is not specific and provides no measurable parameters. It is not therefore effective.

New housing should have solar panels on roofs where feasible or other forms of achievable renewable energy infrastructure, including District Heating where feasible. In locations where there is no mains gas, there is a great opportunity to introduce wood pellet boilers or similar to discourage oil based heating systems. This should be coupled with high levels of insulation. The plan provides no measurable requirements for this approach so it is not effective in ensuring new housing takes all available opportunities to reduce carbon emissions.

A fundamental principle of the NPPF's environmental ambition is supporting a transition to the low carbon economy, through encouraging the reuse of existing resources and use of renewable resources (including renewable energy) to minimise our impact on climate change.

**Modifications necessary to make the Local Plan compliant:**

Inclusion of measurable objectives for energy efficiency and use of renewable energy

**Authority response:**

Policy 1.7 requires a 10% improvement in a dwelling's energy efficiency above current building regulations standards. The policy requires this to be delivered by a fabric first approach.

The policy position is a careful balance taking into consideration various policy alternatives, development viability and national policy. A full discussion on how the Authority has arrived at this policy position is available in the Reducing CO2 emissions in new development policy research and recommendations paper and the Design and the Built Environment Topic Paper.

**Authority proposed action:**

None proposed

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**Respondent Number:** 0164

**Name:** Annie Martin

**Organisation:** Annie Martin Architect

**On behalf of:**

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**Rep. Number:** 1

**Local Plan Section:** 3.8

**Paragraph/policy** Policy 3.8 (2)

**Is the Local Plan sound?:**

No

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

Outbuildings with habitable accommodation should not be set against the 30% additional habitable floor space especially given that these areas cannot be used to compute the 30% allowance. The current plan's unofficial benchmark date for accessing the size of the original dwelling is 2013, when the previous planning policies were adopted. To move this date back in time to 1995 results in decisions being made in a time when it was not known they would prevent future rights. For example, if a loft conversion was granted permission in 1997 the owners/ occupiers would not have known that they would not be permitted to extend in the future i.e. a kitchen extension, garden studio etc. Had this been known then they may have made different decisions. To continue with the benchmark date of 2013 would be sensible as it is well established, and since this time owners have been making decisions on this basis. Replacement dwellings: If a house has a greater habitable floor space than the original house (as it stood in 1995) +30% then the proposed habitable floor space should be able to equate to the greater area i.e. like for like.

**Modifications necessary to make the Local Plan compliant:**

Outbuildings such as home office/ garden room should be considered outside the 30% rule and not set against this 'allowance'. Furthermore, permission of an outbuilding should not be subject to a condition removing PD rights to extend the dwelling.

**Authority response:**

The current plan does not have a date benchmark within the policy. The date chosen is aligned with statutory legislation affecting National Parks. It was originally 1974 in the Reg 18 consultation and was moved to 1995 in response to comments. This aligns with the Environment Act which brought National Park Authorities into being and revised the purposes.

The 30% rule is intended to manage both affordability and design of houses. Including outbuildings in the initial floorspace calculation would not uphold the policy's design objectives. To ensure the policy does not incentivise creation of converted outbuildings to circumvent the policy it seems appropriate to include this in the floorspace which contributes to the rule being met. See section 9.3 of the Housing Topic Paper.

Allowing houses that have already used their 30% allowance to use the new total gross floor space figure for allowing an additional 30% increase for the purposes of a replacement dwelling would directly undermine the policy and is not supported.

**Authority proposed action:**

None proposed.



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**Respondent Number:** 0131

**Name:** Hazel Jones

**Organisation:**

**On behalf of:**

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**Rep. Number:** 17

**Local Plan Section:** 3.8

**Paragraph/policy** Policy 3.7(2)

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

p78Text and policy: Add "large scale fenestrations contribute to light pollution by 'light spill' and should be avoided".

p79 shows prime example of probability of light spill.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

This is a design issue, rather than an issue specifically relating to extensions. Light transference from windows can be managed and is often identified where it impacts on biodiversity and landscape character. Controlling the design of extensions so tightly can present an issue as these building practices fall under permitted development which the Local Plan cannot influence.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0192

**Name:** Amanda Burden

**Organisation:** Luscombe Maye

**On behalf of:**

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**Rep. Number:** 1

**Local Plan Section:** 3.9

**Paragraph/policy** Policy 3.9 (2)

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** No

**Detail of representation:**

As you know I have been liaising with James Aven in recent months regarding the application for an agricultural worker's dwelling for the Cleave family at Higher Mill Leat Farm which I am pleased to confirm has now been approved.

I am sure that James has passed on to you my various emails in relation to the future consideration of the Dartmoor National Park Authority imposing legal agreements on planning approvals to tie agricultural dwellings to both the farm land and any other dwellings on the holding.

As you will know the Rural Luscombe Maye Professional Team of which my Agricultural and Rural Planning Department is a part of, undertake a variety of work for farmers and land owners to assist with their agricultural/ rural businesses including planning applications as well as valuations for banks/ lenders as well as the sale of all types of agricultural property.

The imposition of a legal agreement on to an agricultural holding would cause various issues for that agricultural business and I thought that I would put these in writing for future consideration over the wording of the policies in your new draft local plan in the hope that legal agreements will not be considered necessary in most circumstances.

1. We fully expect that any agricultural/rural workers dwelling would have an appropriate occupancy condition which ensures that the property is occupied by eligible occupiers. The standard occupancy condition used I think is good for purpose, stating that "the occupiers shall be solely, mainly or lastly employed locally in agriculture". The occupancy condition wording can be varied if the dwelling is for another type of rural work to therefore cover all eventualities

I confirm that it is my view that an occupancy condition does the job adequately to control the occupation/ use of agricultural/ rural workers dwellings. An agricultural occupancy condition will reduce the value of a property by 25-30% as is confirmed by my team of valuers who undertake bank/ lending valuations and this therefore keeps the dwelling at an as affordable rate as possible for future compliant occupiers.

In addition the fact that if somebody wishes to remove the agricultural occupancy condition through a planning application they would have to prove that the dwelling is no longer necessary to serve the holding that it is based on but also the wider agricultural community means that these properties in my view are well protected. If however it is found that an agricultural occupancy condition is no longer necessary then this would default under the current National Park Policy to an affordable dwelling.

I note that there was some concern over the threat of agricultural dwellings being sold off from the land and split away from the holding however if the agricultural occupancy condition is robustly maintained and the above policy is maintained any application to remove would not create a freehold dwelling in the

countryside in any case.

Added to this if somebody decided to occupy a dwelling with an agricultural occupancy condition without complying with that condition in order to gain a Certificate of Lawful Use for non-compliance with the condition they would have to occupy it and provide evidence to support that they have occupied without complying with the occupancy condition for more than 10 years. 10 years in my view is a long time and I believe it is up to the National Park to ensure that properties that have had agricultural occupancy conditions are monitored.

2. You will know that any new build dwelling is exempt from VAT and therefore farmers/ developers have the opportunity of either zero-rating the build from the beginning through the appropriate builder/ tradesman or reclaiming all the VAT able items at the end therefore in both routes leaving a VAT free bill.

If however there is any legal agreement on a property which restricts it from being sold separately/ independently such as a legal agreement tying agricultural land or other properties this exemption is automatically lost, you can confirm this by reading [www.gov.uk/vat-builders/new-homes](http://www.gov.uk/vat-builders/new-homes). Including this requirement in the Dartmoor National Park Authority Policy will therefore automatically disadvantage Dartmoor farmers by the 20% cost of the VAT.

Whilst it could be argued that the Dartmoor farmers would be mostly VAT registered themselves for their normal trading businesses and there is therefore the opportunity to reclaim the VAT, this is not the case as the addition of an agricultural dwelling is not a trading asset and therefore is not considered to be a business expense that can either be deducted as a cost to the business or the VAT claimed for the same reason.

Bearing in mind your current policy requires that if an agricultural occupancy condition is removed the property would become an affordable dwelling it is my contention that 20% extra cost onto an affordable dwelling would make a considerable difference to its affordability. Plus, how could a dwelling become "affordable if it was tied to 50/100/150 acres of land".

3. Whilst an agricultural occupancy condition reduces the value of the actual dwelling by 25-30% this factor is accepted and acknowledged by farmers/land owners as often it is the only way of gaining consent for a dwelling on the farm to provide additional accommodation for workers however having a legal agreement imposed tying a property to the farm has larger, far reaching consequences that not only impact on the value of the farm holding but also impact on the borrowing capabilities.

If a farm had a legal agreement tying a dwelling together with 50, 100, 200 acres, whatever the acreage, then this would mean that the whole farm would have to be sold as one which could have a massive impact on the value of that holding. The fact that the farmer would need to gain permission from the Dartmoor National Park Authority and a variation to the agreement to dispose of a piece of land and this in turn would have an impact on the valuation of the farm. This in turn would impact on the ability for the farmer to borrow money this therefore has a huge impact on forward thinking farmers who wish to move forward and secure borrowing on their assets and therefore is restricting and making business life more difficult for the Dartmoor farmers on which it may be imposed.

I hope that this email is of use to you and your team in considering the new draft local plan. I can confirm that I do not normally put representations forward on local plan policies but I believe that this thought will have a huge impact on a number of my farming clients which help to make Dartmoor as the beautiful living landscape that it is and I do not want to see them put under any more pressure than they currently face from reduced returns and increased bureaucracy.

**Modifications necessary to make the Local Plan compliant:**

#### **Authority response:**

Evidence in section 6.14 of the Housing Topic Paper sets out evidence which justifies this approach and explains the flexibility embedded within it. Anti-severance agreements also allow a more flexible approach for development on farms as it provides security against land severance, such as in policy 5.8 (2). Without the security of an anti-severance agreement DNPA would not pursue such flexibility, as it would result in unsustainable development practices in a National Park. This is considered of significant benefit to the industry.

VAT is not a material planning consideration that should be used to justify policy.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0026

**Name:** Paul Cottington

**Organisation:** National Farmers' Union

**On behalf of:**

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**Rep. Number:** 0

**Local Plan Section:** 3.9

**Paragraph/policy** Policy 3.9 (2)

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

3.9 rural workers dwellings We appreciate that farming has been noted as having been a key factor in creating the landscape of Dartmoor that so many love and cherish.

On reading through these sections it is apparent that it does not recognise the pressures that farms are under. As such a new approach is required. The key challenges the document fails to address and note include:

1. Farms are reliant on numerous income streams outside of just the core agricultural activities that underpin each and every farm.
  - a. Many farms across Dartmoor will have additional income from diversification. Often these will contribute more to the financial viability of the farm holding than the agricultural aspects. As such developing any financial plan with regard to a farm holding must acknowledge and incorporate this.
2. Farming family's structures are changing
  - a. We all now live longer and as such there are more members of a family on a farm now than ever before. Previously it would have been usual to have two to three generations present but now the norm is moving towards three to four
  - b. The need for accommodating all members of the family is still the same but their roles are all changing. As such we need to recognise this and plan for it. Planning for the past does not equip us for the future. The SW NFU and its members recognise and support the purposes of the national park. Our members, who farm the area, are rooted in the history, cultural and landscape that we all cherish and where DNPA is charged with "conserv[ing] and enhanc[ing] the natural beauty, wildlife and cultural heritage". In addition, it is these same farmers who create the landscape and opportunities for the public to "understand and enjoy the special qualities of national parks". They cannot do this if they can't actually maintain a business and the social structures to do so. It is therefore imperative that DNPA becomes an enabler of change to meet the purposes but via the lens of the farmers that are the only people that can do this. In speaking to farmers it is apparent that there are numerous 'pains' from their perspective with regard to the planning system in general and rural dwellings (and succession, diversification) in particular and also a number of 'gains' that could be made that would help improve farm businesses. These include:
    - Putting detailed and costly plans together with no real understanding of likely success.
    - Wanting to create living and working environments that are big enough to be livable and workable and enjoyable.
    - Creating an offer for workers and future generations that means they will want to live and work on the farm and not find another career in another place.
    - The number of hours that need to be worked is changing. Not only does work have to be contracted but also many farmers rely on diversified income (include off farm income) to maintain a farm holding.
    - Enabling farm businesses to evolve. There isn't a lot of employment opportunity within Dartmoor and most of that which is there and could be there is from a farm.
    - Increased farm viability in terms of financial through having staff available through to social in having greater ability to take off and improve health and wellbeing.
    - There needs to be flexibility. It is very difficult to know what the farm will do in the future.
    - If the planning process could be quick then there would be much more confidence in developing new business opportunities and with the DNPA itself. Farmers need to have clarity and surety and the current drafting appears to be very subjective.



All the farmers we spoke to point towards the planning process being hugely complicated and expensive. It cannot be done by a layperson and even the experts have mixed skill levels, understanding and success in navigating the nuances of planning.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

The criteria for determining whether an enterprise is a farm eligible for farm diversification has been taken from the active farmer requirement for the basic payment system. There is further discussion in the Economy Topic Paper section 6.7.

The Local Plan introduces significant additional flexibility to enable succession and the creation of additional accommodation on farms. This includes policy 3.9, 3.10 and 5.8 which allow for development of an annexe for an agricultural worker or conversion of a historic redundant building for general residential use.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0045

**Name:** Ed Persse

**Organisation:** EJFP Planning Ltd.

**On behalf of:**

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**Rep. Number:** 1

**Local Plan Section:** 3.9

**Paragraph/policy** Policy 3.9 (2)

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:** Yes, I wish to participate in hearing session(s)

**Why?** To expand on the above comments

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

The comments in this section relate primarily to paragraph 3.8.8 and criterion 2(c) of the above stated policy.

The fundamental point is that the proposed size of 106 sqm is too small, furthermore, the justification in the respect of the building possibly being used at some point in the future as an affordable dwelling is flawed. In dealing with this point I would like to refer the officers to appeal APP/J9497/W/18/3194784 and APP/J9497/W/17/3177227.

**Modifications necessary to make the Local Plan compliant:**

Paragraph 3.9.8 seeks to justify the restriction in the size of the dwellings to safeguard the viability of the holding (this is considered as part of the financial test, this is reasonable but also flexible and should not be restricted to such a small size. The second relates to the possible future use as an affordable dwelling. Typically rural worker dwellings are located in areas where they would not be utilised as affordable dwellings. The DNPA are seeking to make a one size fits all policy for workers dwellings. This flies in the face of each case being judged on its own merits.

Finally the 106sqm also include boot rooms, storage areas and equipment areas. It is noted that a farm office is not included nor locker rooms and kitchen/dining area for farm workers. Accordingly, it is suggested that the 106 sqm restriction is removed, if not removed then relaxed to 160 sqm for first or main dwelling. Second or third dwellings can reasonably be smaller given that much of what has been listed above (farm officer etc) is not required in a second/third dwelling.

The appeal decisions mentioned above are both located in the national park boundaries and the Inspectors both cases referred to the Affordable Housing SPD and in both cases the Inspectors gave the SPD little weight. At paragraph 14 of appeal APP/J9497/W/17/3177227 it states 'The proposed dwelling would be very much larger than the indicative size for a three bedroom unit specified within the affordable housing SPD. However, the figure within the SPD is only guidance. As noted by the 2015 Inspector, the proposal should also be considered in relation to the needs of a stock manager who is likely to require suitably sized family accommodation. In addition, DNPA's Land Agent Consultant has advised that as the principal dwelling on the holding there would be a need for extra rooms for meetings/other needs relating to the management of the farm rather than just a place to reside.' This view is supported in paragraph 12 of appeal APP/J9497/W/18/3194784 it states 'For the above reasons, I conclude on this issue that the proposed dwelling, by reason of its size, would relate to the functional requirements of the agricultural holding. As such, in respect of this issue, it would accord with policy DMD23 of the DMDDPD and would not be at odds with the principles set out in the SPD'. In the two cases set out above the approved size of the dwellings was 162 sqm and 180 sqm respectively.

Therefore, it is considered that agricultural/rural workers dwellings should not be restricted to the size set out in the policy. There needs to be greater flexibility in the size of the dwelling, dependent on the

functional needs of the holding rather than the possibility that it could be used as an affordable dwelling sometime or not in the future.

**Authority response:**

There is a high need for affordable housing in rural areas to meet the needs of workers in key rural industries, such as workers in farming and forestry. This is well evidenced in the Housing Topic Paper.

It is important to distinguish between the rural workers house and further space needed by the agricultural business. The size restrictions for the house are intended to reflect the needs of the agricultural worker alone and not the needs of the wider business, this is why the office is not included. Not all farm enterprises will need an office, lockers or staff room and so it is inappropriate to reflect these in the dwelling size restriction, doing so would in most cases lead to a far larger dwelling being built than is necessary.

There is flexibility in the Local Plan to justify further space where it is needed by the agricultural business, this is distinct and should not be confused with the residential space requirements of a single worker.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0059

**Name:** David Kiernan

**Organisation:** Teignbridge District Council

**On behalf of:**

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**Rep. Number:** 4

**Local Plan Section:** 3.9

**Paragraph/policy** Policy 3.10 (2)

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

3.10 Gypsy & Traveller Accommodation

The change in relation to the consideration of Gypsy and Traveller pitches outside of Dartmoor National Park is welcome.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0214

**Name:** Jeremy Thres

**Organisation:**

**On behalf of:**

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**Rep. Number:** 2

**Local Plan Section:** 3.9

**Paragraph/policy** 3.9.7

**Is the Local Plan sound?:** No

**Is the Local Plan legally compliant?:** No

**Is the Local Plan compliant with the duty to co-operate?:**No

**Hearing session(s):**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** No

**Detail of representation:**

[LATE COMMENT]

As we look to find a better way than that which has led us into climate and ecological breakdown we need to examine those factors that have led to ways of management that damage our ecology and those that enhance. In terms of economics we must stop legitimising an economics that doesn't take into account social and environmental costs, and evolve to one both that does and also recognises ecological and social profits. For example food first ecological farming, where the focus is growing for oneself and then selling surplus and subsistence low or zero carbon farming are predominantly ways of living, rather than ways earning a substantial living/"profit" and these ways are historically the ones alongside which our wildlife evolved, not the fossil and artificial fertilise fuelled intensive ways that have degraded so much both locally and further afield, and even so still need subsidy.

There is a deep interest among many young people to live and work close to the land (for example an annual fair on traditional scything consistently sells out with over 2000 people attending, and also the growth of the landworker alliance representing an aspiring new generation of small growers demonstrates this), and a deep need for a new generation to learn the wisdom and skills of living and working with the land, learning ways both innovative and historical in both a pre and post fossil fuel way. I suggest DNP needs to be lessening hoops and removing obstacles that stand in the way of this, and in doing so strengthen not just local food sovereignty, contribute not just to the appearance but actively to the biodiversity of the landscape we know and love today (green fields may appear healthy but nowadays are too often regularly cut monocultures sustained by fertilisers, versus the hay meadows that sustained abundant diversity at the park's inception).

Pre and post fossil fuel agriculture will be more reliant on labour and this labour needs to be able to live on site versus travel both Co2 wise and for the very many skills there are to practice and learn.

Though one tweak that could aid this resilience might be for 3.9.7 needs to say "profitable ideally financially but definitely ecologically for at least one year" - for it is the accounting to nature that is becoming recognised as the imperative that really counts ("nature bats last" as they say), the main thing I feel is the need for an additional point here supporting a new wave of needed agricultural workers and learning, and for the farms and small holdings they work, on through greater and easier temporary permissions for shepherds huts, pods and other innovative basic but low impact structures tied to the land. It is widely recognised that such alternative forms of accommodation are low impact and far more sympathetic to the landscape in terms of their colour and materials to old style workers caravans. In the past when families had more children far more people lived in Dartmoor's farmsteads and as a consequence could contribute to what was needed, as families have shrunk numbers have dwindled and fossil fuel has taken the place of people, pony and even oxen power that created much of our beautiful landscape and conditions for the vestiges of wildlife. My 96 year old neighbour in Manaton was a "land girl" in the war, and through that learned to work with shire horses, keep pigs and no doubt numerous other rural skills that enabled us then, and can enable us again to work with life when the extravagance of fossil fuels use fall away. For food sovereignty and ecological well being what I am suggesting is DNP

lead on preparing the ground for a healthy movement like this to be received with all the benefits it can offer.

In terms of business as usual here is a link to an article by young people laying bare the draw backs of the commonly used three stool model. <https://theecologist.org/2019/sep/17/what-might-systems-change-look>.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

The planning system nor th Dartmoor Local Plan have powers to control land management practices unrelated to development. Flexibility has been introduced into Local Plan policy which should encourage provision of more rural worker accommodation to support the rural workers living near where they work, through barn conversions and annexes on existing farms. The low impact residential development policy allows exceptional development to support people looking to achieve outstanding sustainability standards.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0131

**Name:** Hazel Jones

**Organisation:**

**On behalf of:**

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**Rep. Number:** 18

**Local Plan Section:** 3.9

**Paragraph/policy** Policy 3.10 (2)

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

p84 Policy 3.10: No mention of 'special qualities' should be added

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

It is an established policy principle that the plan should read as a whole, it is therefore not necessary to caveat each and every potential constraint relating to a development type within the policy.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0058

**Name:** Marcus Salmon

**Organisation:** Environment Agency

**On behalf of:**

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**Rep. Number:** 11

**Local Plan Section:** 4 **Paragraph/policy**

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

Section 4 – Communities, Services and Infrastructure

We note that flood risk management infrastructure is not included as relevant infrastructure in this section. In areas at risk of flooding, where development is justified, developers can help contribute to the maintenance, improvement or construction of flood defences, the implementation of NFM measures or drainage networks thus providing sustainability benefits to the wider community.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

Paragraph 3.6.5 includes flood infrastructure in the definition of community infrastructure. The topic's absence from chapter 4 does not mean flood infrastructure is not considered to be a type of infrastructure.

**Authority proposed action:**

None proposed.



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**Respondent Number:** 0048

**Name:** Andy Stokes

**Organisation:** Buckfastleigh Town Council

**On behalf of:**

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**Rep. Number:** 15

**Local Plan Section:** 4 **Paragraph/policy**

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

Community Services & Facilities

Given the background of swathing, ongoing cuts to public services and the effects of austerity on local populations, where local education provision, youth service, early years, transport, health, social care, policing and medical resources etc. have all been cut severely in recent years, Services and facilities are at breaking point in many rural communities.

p 85 States "New development will be expected to contribute to the provision of new services, facilities and infrastructure where this is necessary."

Given this reduction in service provision and community resources over the last 9 years, we would argue that if the population of a settlement is to be increased, then service, facilities and infrastructure enhancements will always be necessary. We are living in culturally, socially and financially impoverished communities that are struggling and often failing to cope with current populations. It is unreasonable to expect to add more drain on fewer resources.

4.1 (p87) This states "All existing Community Services & Facilities will be protected" - currently all services and facilities are potentially at risk or already lost in the light of an ongoing background of cuts and the effects of austerity on local businesses. It is not enough in our view to merely make it hard for these to be removed and sites be redeveloped. How can the DNPA be more proactive in the defence of these resources, without which our communities are becoming unviable and populations at risk?

[4.1.4 references 'reducing household sizes' as a threat. This is also used to bolster increased home building. In fact, as the CPRE report previously mentioned points out, this trend has halted in the last 5 years so is likely to be no longer relevant.]

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

Policy 3.3 - 3.5 (2) allow the affordable housing contribution from new development to be varied to support the delivery of necessary community infrastructure. Necessary infrastructure can be identified by communities and is recorded in the Infrastructure Delivery Plan and Settlement Profiles.

**Authority proposed action:**

None proposed.



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**Respondent Number:** 0074

**Name:** Gary Parsons

**Organisation:** Sport England

**On behalf of:**

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**Rep. Number:** 5

**Local Plan Section:** 4 **Paragraph/policy**

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

4.OMMISSION

Sport & Recreation in National Parks

National Parks are an important resource for sport, and provide opportunities for millions of people each year to participate in their chosen activity.

An objective would be to maintain and improve opportunities for sport in the National Parks and to ensure that existing and new activities are managed and developed in a way which meets the purposes of National Park designation and sustainable development objectives.

Sport England will promote policies and practices that:

- seek to maintain and improve opportunities for outdoor sport in National Parks;
- promote the use of good management practices to balance the legitimate needs of sport with other interests;
- do not seek to impose a blanket ban on certain sporting activities within National Parks;
- take account of the sporting needs of the resident community within National Parks; and
- seek to identify sites for possible counter attractions which may relieve the pressure on the most sensitive areas.

National Parks provide some of the finest natural resources for sport. By far the greatest number of visits to National Parks are made by walkers, but the Parks are also an important specialist resource for sports such as climbing, caving and water sports, where the resource can be of national significance.

Every year hundreds, if not thousands, of such sporting events take place that rely upon the natural environment. A lot are the transient, peripatetic sporting events that the organising club sets up, the competition takes place, and afterwards any equipment (e.g. signage, fences, ropes, show jumps) are dismantled and the land reverts to its original use. These events can include equestrian activities, motorsport, cycling, running, canoeing and climbing events.

What all these sporting activities tend to have in common is a control point where participants assemble, register for the event, and it acts as the start/finish point for the competition; sometimes village halls can support this. Such activities may have some purpose built ancillary facilities, such as a floating pontoon, clubhouse, bunkhouses, changing rooms and storage units. Although not always essential this supporting infrastructure can be crucial to enable a good level of competition.

Because of the transient nature of these types of events, they tend to operate outside the planning system and rely on the provisions of Class B, Part 4 of the Town and Country Planning (General Permitted Development) Order 1995. Part 4 allows for the temporary change of use of land for either 14

or 28 days a year. Because of this, many local authorities do not even know that the events are taking place in their area. Occasionally some events do require planning permission and this tends to be where permitted development rights do not apply, or that the events have taken place more than 14 or 28 days per year and therefore exceed their permitted development rights.

These events tend to use a range of different landscapes such as forests, waterways, moorland, old quarries, natural features such as rock faces and agricultural fields. Whilst some rely on using the rights of way network, other might use permissive routes such as private moorland tracks with the land owners consent. Horse riding and mountain biking do also rely on manmade and more permanent cross county courses, which can sometimes require planning consent depending on scale and engineering work required.

Sport on manmade routes and more peripatetic activities do happen in areas with landscape protection designations. The Scott Trial (see case study), for example, takes places in part on a Site of Special Scientific Interest, with the consent of the local planning authority and Natural England. Many rock faces are also designated SSSIs but still accommodate climbing competitions through a managed access protocol. Therefore landscape protection does not necessarily rule out a sporting event taking place.

#### Case Study 1: Endurance:

Endurance is long distance competitive horse riding. Many of these competitions take place in the countryside and utilise existing rights of way or tracks that cross private land.

They tend to have a control point, this could be a field, or a local livery where there are access to stables. Rider register with the organiser at the control point and start the ride and finish the ride from the control point.

The competition covers a number of routes set out at different competitive levels from novice to advance and riders are timed as they leave and return to the control point.

The routes can be well defined such as a bridleway, or marked out with flags and markers to indicate the way. These events tend not to rely on permanent facilities, instead they are set up a few days before the event takes place and then after the event the flags, markers, control caravan anything else associated with the event are removed from the site.

Endurance relies on a variety of different routes that can include river crossings, open moorland, forest tracks or even the beach.

#### Case Study 2: The Scott Trial, Yorkshire Dales

Many sporting events can be long standing ones. The Scott Trial has an extensive history beginning initially as an annual competition in 1907 where factory employees at the Scott Motorcycle factory in Keighley, West Yorkshire, rode road going machines along various tracks and open moor land in the Yorkshire Dales - many of the roads were not metalled in those days. The event attracted many spectators and these spectating Edwardians viewed the event as a fair old scramble and hence the term motorcycle scrambling was born.

The event takes place in and around Arkengarthdale and Swaledale towards the end of October and has run every year, bar the war years (due to fuel rationing), since 1907. The Scott Motorcycle Trial is one of the oldest motorsport events in the UK, possibly the world. The Trial began well before Leeds United Football Club was ever established and is possibly the oldest running (bar the war years) outdoor sporting event in Yorkshire after Grand St Ledger horse race at Doncaster.

Sport England would encourage a positive for sport approach Local Plan Policy to enable the existing and future users opportunity to take part in recreational activities that meet social, health and well being agendas

#### **Modifications necessary to make the Local Plan compliant:**

#### **Authority response:**

DNPA operate a notification procedure for anyone wishing to operate organised large scale recreation events within the National Park. Whilst recognising the positive benefits organised recreation and challenge events bring to those taking part, there are important considerations with regard environmental impact and land ownership to be considered prior to events taking place.

These events very rarely require planning consent, however Local Plan policy is positive towards recreational infrastructure, permanent or temporary, which does not adversely impact on the National Park's Special Qualities.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0090

**Name:** Rob Kinchin-Smith

**Organisation:** Friends of Ashburton Station (FoAs)

**On behalf of:**

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**Rep. Number:** 1

**Local Plan Section:** 4 **Paragraph/policy**

**Is the Local Plan sound?:** No

**Is the Local Plan legally compliant?:** No

**Is the Local Plan compliant with the duty to co-operate?:**No

**Hearing session(s)?:** Yes, I wish to participate in hearing session(s)

**Why?** If the Inspector considers it to be necessary

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

We remain concerned about the incomplete nature of the published Evidence Base on the Transport topic, the lack of a relevant Statement of Common Ground on Transport, or other evidence of cooperation with relevant stakeholders outside of the National Park.

**Modifications necessary to make the Local Plan compliant:**

Paras 24-27 of the NPPF emphasise the Duty to Cooperate. Para 104 of the NPPF requires that "Planning policies should... be prepared with the active involvement of... transport infrastructure providers and operators and neighbouring councils" and should "identify and protect, where there is robust evidence, sites and routes which could be critical in developing infrastructure to widen transport choice and realise opportunities for large scale development; and "provide for any large scale transport facilities that need to be located in the area". With regard to rail, we would urge DNP to consult and cooperate with the Peninsular Rail Task Force, Cornwall Council, Devon County Council, Somerset County Council and Plymouth City Council, Torbay Council, the Local Economic Partnerships (LEPs) for Cornwall and the Heart of the South West, Railfuture South West and the Campaign for Better Transport, all of which DNP has a statutory 'Duty to Cooperate' with on Strategic planning and transport matters under the Localism Act and NPPF.

**Authority response:**

DNPA have consulted with relevant statutory consultees on all transport matters, including the Office for Road and Rail, Heart of the South West LEP, Network Rail and Devon County Council. The extension of the heritage line was not specifically identified as a strategic matter where cross-boundary cooperation was required.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0074

**Name:** Gary Parsons

**Organisation:** Sport England

**On behalf of:**

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**Rep. Number:** 6

**Local Plan Section:** 4 **Paragraph/policy**

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

5.OMMISSION

Community Use of Education Sites

Making better use of existing resources contributes to sustainable development objectives by reducing the need for additional facilities and the potential loss of scarce resources such as open space. The practice of making school sports facilities available to wider community use is already well established and has been government policy for many years, but there are further opportunities to extend this principle within the education sector through programmes such as Academies and to other privately owned sports facilities, to help meet the growing demand for more and better places for sport in convenient locations.

Sport England promotes the wider use of existing and new sports facilities to serve more than one group of users. Sport England will encourage potential providers to consider opportunities for joint provision and dual use of facilities in appropriate locations.

Sports facilities provided at school sites are an important resource, not just for the school through the delivery of the national curriculum and extra-curricular sport, but potentially for the wider community. There are also direct benefits to young people, particularly in strengthening the links between their involvement in sport during school time and continued participation in their own time. Many children will be more willing to continue in sport if opportunities to participate are offered on the school site in familiar surroundings. Many schools are already well located in terms of access on foot or by public transport to the local community and so greater use of the sports facilities outside normal school hours should not add significantly to the number of trips generated by private car.

There is a free online resource from Sport England (Use Our School) that offers further guidance and information for local authorities and other education providers on how to make the best use of school facilities for the benefit of the local community. It is especially useful for those who have responsibility within a school for establishing, sustaining and growing community activity on school sites. 'Use Our School' can be accessed here <https://www.sportengland.org/facilities-and-planning/use-our-school/>

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

Co-location of open space and community facilities is supported, particularly in paragraph 4.2.3, where it states that 'clustering, or grouping facilities together, can significantly improve their accessibility, effectiveness and viability.'

**Authority proposed action:**

None proposed.



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**Respondent Number:** 0011

**Name:** Amy Roberts

**Organisation:** Bell Cornwell

**On behalf of:** FMB Projects Ltd

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**Rep. Number:** 3

**Local Plan Section:** 4.1

**Paragraph/policy** Policy 4.1 (2)

**Is the Local Plan sound?:** Yes

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

Strategic Policy 4.1(2) Supporting Community Services and Facilities

This draft policy is generally supportive of community services and facilities within Dartmoor National Park. Part 3 states that within or adjoining classified settlements the provision of new or extended community facilities will be supported.

Observations on Draft Policy

Our client remains supportive of the strategy to support the needs of Dartmoor's communities through the provision of new services and facilities and agrees with paragraph 4.1.2 that the vitality and well-being of Dartmoor's communities is reliant upon local services and facilities which meet their day-to-day needs.

Our client SUPPORTS Part 3 of Draft Policy 4.1(2), which states that 'within or adjoining classified settlements provision of new or extended community facilities will be supported.' This will increase the chances for existing communities to secure the services they require to make them more self-sufficient and enhance their vitality, especially those with very little scope to accommodate such services and facilities within the settlement boundary. This approach meets the tests of soundness by being positively prepared (consistent with achieving sustainable development), justified (an appropriate strategy for sites within or adjoining identified settlements in order to make settlements more sustainable and self-sufficient) and consistent with national policy (by enabling the delivery of sustainable development).

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

**Authority proposed action:**

None proposed

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**Respondent Number:** 0096

**Name:** Peter Grubb

**Organisation:** Sticklepath PC

**On behalf of:**

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**Rep. Number:** 6

**Local Plan Section:** 4.1

**Paragraph/policy** Policy 4.1 (2)

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

The policies are not as effective as they could be. They doesn't specify a timeframe for market testing for loss of community facilities and only specify 6 months for town centre uses, prior to any attempt at changing the use of such a facility.

This could lead to confusion and anxiety in local communities.

The policy protecting community services and facilities does not set down any specific timeframes for applicant's to market a property and properly test the market. The Local Plan states:

"The case for losing community services or facilities cannot be based upon the short term needs of an owner or tenant, or their current business model. The case must demonstrate a business or facility is not workable in the long term by exploring the full range of potential uses or ways to operate it."

The emphasis here is on the long term, so we would welcome reference to at least 12 months of market testing before an application is made. This avoid ambiguity for applicants and the local community on what is expected.

The policy protecting town centres only specifies 6 months, which is insufficient time.

The NPPF at paragraph 92 clearly sets out protection for community facilities stating "planning policies should...guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs;"

**Modifications necessary to make the Local Plan compliant:**

Adding a timeframe for at least 12 months market testing in both policies.

**Authority response:**

Adding a market test for the loss of community facilities would significantly weaken the policy approach, as many may be bespoke or unattractive for other community uses and could easily be lost. A policy based on community need is most robust.

**Authority proposed action:**

None proposed.



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**Respondent Number:** 0202

**Name:** Lestyn John

**Organisation:** Town planning consultants

**On behalf of:** Buckfast Abbey Trustees

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**Rep. Number:** 2

**Local Plan Section:** 4.1 **Paragraph/policy** Policy 4.1(2) Supporting community services

**Is the Local Plan sound?:** Yes

**Is the Local Plan legally compliant?:** Yes

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:** No

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** No

**Detail of representation:**

Policy 4.1(2) seeks to protect all community facilities. Development of these will only be allowed where the existing facility is not viable or where equivalent provision is provided elsewhere. It adds that “within or adjoining” classified settlements provision of “new or extended” community facilities will be supported.

Supporting paragraph 4.1.2 notes that community facilities will include, amongst other things, community halls and places of worship.

It is considered that this policy is sound, robust and in accordance with national policy for development in national parks especially with regard to the duty to protect the economic and social well being of communities within those areas. It is therefore important that a strong presumption is set out to protect these uses and ensure their re-provision where necessary. It is appropriate for the policy to allow for the provision of new facilities and that these be allowable on land adjacent to, as well as within, existing communities. Allowing this additional flexibility will help to optimise the potential benefits which can accrue from new or replacement facilities, for example in relation to their locational accessibility (for example to highway or other connections) and space necessary to allow the provider maximise the utility of their community facility. Edge of settlement locations will still provide good access for users not only to residents of the settlement in question but for those living in the wider hinterland – an issue of particular relevance to Dartmoor given the extent of its rural population - and where access to alternative provision is otherwise likely to be hard to come by. It is therefore essential that this policy retain the flexibility for new and replacement community facilities to be provided in and adjacent to existing settlements.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0131

**Name:** Hazel Jones

**Organisation:**

**On behalf of:**

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**Rep. Number:** 20

**Local Plan Section:** 4.2

**Paragraph/policy** Policy 4.2 (2)

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

p92 and 95 Requirement for Lighting management/development plan

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

It is an established policy principle that the plan should read as a whole, it is therefore not necessary to caveat each and every potential constraint relating to a development type within the policy.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0074

**Name:** Gary Parsons

**Organisation:** Sport England

**On behalf of:**

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**Rep. Number:** 4

**Local Plan Section:** 4.2

**Paragraph/policy** Policy 4.2 (2)

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

3.Strategic Policy 4.2

SUPPORT with comments

Protection of Sport & Recreation including playing fields

Sport England acknowledges that the NPPF is promoting “sustainable development” to avoid delays in the planning process (linked to economic growth). That said, the NPPF also says that for open space, sport & recreation land & buildings (including playing fields):

97. Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
- b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
- c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.

Sport England would be very concerned if any existing sport & recreation land & buildings including playing pitches would be affected by these proposals without adequate replacement in terms of quality, quantity, accessibility, management & maintenance and prior to the loss of the existing facility.

Strategic Policy 4.2 is very similar to para 97 of the NPPF with a localised view which is acceptable. Sport England's major concern are the statements regarding supply of playing pitches in the OSSR document based on out of date or not complete documents prepared by neighbouring authorities. SEE COMMENT no2 above. Good supply does not equate to 'surplus'.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

DNPA have sought a combined approach in evidence gathering where this is appropriate. This simplifies the process for the Authority and community, minimises duplication of work and provides opportunities for authorities to share resources, particularly where district authorities have greater knowledge and specialism in areas such as open space and recreation.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0074

**Name:** Gary Parsons

**Organisation:** Sport England

**On behalf of:**

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**Rep. Number:** 3

**Local Plan Section:** 4.2

**Paragraph/policy** 4.2.5

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

2.Para 4.2.5 Evidence Base

SUPPORT with comments

The National Planning Policy Framework (MHCLG, 2019) states:

96. Access to a network of high quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities. Planning policies should be based on robust and up-to-date assessments of the need for open space, sport and recreation facilities (including quantitative or qualitative deficits or surpluses) and opportunities for new provision. Information gained from the assessments should be used to determine what open space, sport and recreational provision is needed, which plans should then seek to accommodate.

Sport England's view is that, in order to meet the requirements of the National Planning Policy Framework (NPPF), this should include a strategy (supply and demand analysis with qualitative issues included) covering the need for indoor and outdoor sports facilities, including playing pitches.

We raise concern that there does not appear to be a robust and up to date evidence base for sport and recreation for Dartmoor. We are, however, aware that there are some Playing Pitch Strategies that cover part of Dartmoor. If adopted and prepared in the last 3 years they could be referenced as part of the evidence base for the Local Plan.

The South Hams and West Devon PPS is now 'out of date' in urgent need for review. The Teignbridge PPS was adopted but the robustness of it needs to be reviewed annually with new data. This process has not started. Therefore we have concerns over the Teignbridge PPS. The Mid Devon PPS has not started apart from a meeting recently to explore setting a 'brief'. It is also important to note that DNP was not a stakeholder on any of the PPS mentioned here. As you have identified the Ashburton 3G artificial grass pitch needs replacing but funding is an issue.

For sport buildings and land that are not playing pitches (swimming pools, tennis courts, athletics tracks etc) there should also be a wider Sport Strategy including swimming pools, sports halls and other non playing pitch sports. Sport England has produced a final technical guide for Assessing Needs & Opportunities (ANOG) regarding sport to accompany the NPPF (as referenced on the DCLG website). <http://www.sportengland.org/facilities-planning/planning-for-sport/planning-tools-and-guidance/>

We note your dated 2019 Open Space Sport & Recreation (OSSR) Study but question its full compliance/robustness with the methodologies generally accepted in meeting para 96 of the NPPF. It is recommended that DNP be involved in neighbouring authorities para 96 evidence gathering work to



review the OSSR for Dartmoor either an annual or biannual review.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

The evidence supporting the OSSR is proportionate to the scale of development occurring in the National Park, Dartmoor's relatively isolated setting, and the development priorities of the area. Drawing on evidence of Districts is an effective and proportionate approach which is justified in the OSSR. To support this evidence DNPA have also consulted with communities throughout the Local Plan process and asked them to identify any infrastructure needs or shortfalls, including for open space, sport and recreation infrastructure.

**Authority proposed action:**

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**Respondent Number:** 0132

**Name:** Bas PAYNE

**Organisation:** Moretonhampstead Parish Council

**On behalf of:**

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**Rep. Number:** 13

**Local Plan Section:** 4.3

**Paragraph/policy** Policy 4.5 (2)

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

Change made [from Reg 18 comment] to add requirement to incorporate sustainable drainage.

Change welcomed: many thanks.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0132

**Name:** Bas PAYNE

**Organisation:** Moretonhampstead Parish Council

**On behalf of:**

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**Rep. Number:** 12

**Local Plan Section:** 4.3

**Paragraph/policy** Policy 4.3 (2)

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

No change [from Reg 18 comment], apart from adding requirement to incorporate sustainable drainage.

Change welcomed: many thanks

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0029

**Name:** John Willis

**Organisation:**

**On behalf of:**

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**Rep. Number:** 4

**Local Plan Section:** 4.3

**Paragraph/policy**

**Is the Local Plan sound?:** No

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

On transport, a few general points and suggestions to make this section stronger:

Consideration might be given in the Local Plan to introducing “congestion charges” as a positive way to encourage consumer switch to lower emission and electric vehicles and a “tax” on high emission cars. This has I believe been considered previously in other national parks such as the Peak District.

On EV charging points:

1. The electricity for these should be supplied by zero-carbon suppliers.
2. The plan could also support the provision of solar PV on car parks linked to charging points
3. The plan could be more ambitious on active EV points on more than 5% of car parks – the demand for electric vehicles local might increase if points are made available

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

The Local Plan has no regulatory powers which would allow it to have control over road taxes or tolls.

The Local Plan cannot require residents to purchase electricity from particular energy suppliers.

The installation of solar PV panels is supported by the Local Plan policies in principle.

The 5% EVCP rate has been viability tested in the whole plan viability assessment and is considered appropriate given the higher cost of access controlled points over private access points. The installation of passive charging means new active points can be installed at a later date when the market demands.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0130

**Name:** Emma James

**Organisation:** Okehampton Town Council

**On behalf of:**

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**Rep. Number:** 1

**Local Plan Section:** 4.3

**Paragraph/policy** 4.3.2

**Is the Local Plan sound?:** Yes

**Is the Local Plan legally compliant?:** No

**Is the Local Plan compliant with the duty to co-operate?:** Yes

**Hearing session(s)?:** No, I do not wish to participate in hearing session(s)

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

Point 3

This information is incorrect and needs to be updated. The lease for the service to Okehampton is due to be renewed in November 2019. The Okehampton service to Exeter could be operational by the earliest in May 2020; not 2030+. The Tavistock to Plymouth route is more realistically 2030+. The policy statement 4.3.2 needs to be amended to reflect the difference between the Okehampton and the Tavistock to Plymouth possible operational dates.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

The north Dartmoor route and Okehampton route are mentioned separately in this paragraph. It is considered sound and accurate.

**Authority proposed action:**

None proposed

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**Respondent Number:** 0130

**Name:** Emma James

**Organisation:** Okehampton Town Council

**On behalf of:**

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**Rep. Number:** 2

**Local Plan Section:** 4.3

**Paragraph/policy** Policy 4.5 (2)

**Is the Local Plan sound?:** Yes

**Is the Local Plan legally compliant?:** No

**Is the Local Plan compliant with the duty to co-operate?:** Yes

**Hearing session(s):** No, I do not wish to participate in hearing session(s)

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

Page 96 The council welcomes more electric vehicle charging points for visitors to DNP

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0090

**Name:** Rob Kinchin-Smith

**Organisation:** Friends of Ashburton Station (FoAs)

**On behalf of:**

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**Rep. Number:** 4

**Local Plan Section:** 4.3

**Paragraph/policy** 4.3.2

**Is the Local Plan sound?:** No

**Is the Local Plan legally compliant?:** Yes

**Is the Local Plan compliant with the duty to co-operate?:**No

**Hearing session(s)?:** No, I do not wish to participate in hearing session(s)

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

We believe that opportunities to consult relevant stakeholders with regard to sustainable transport and particularly rail reinstatement has been missed.

In order to better reflect the LPA's commitments under the new Policy 4.3 (2) "Enabling sustainable transport" we would seek that the first bullet point at 4.3.2 be amended thus (bold, underlined):

"There has been a recent desire to explore whether the Buckfastleigh to Totnes heritage line could be extended to its original Ashburton terminus. It is recognised that such a link could result in considerable public benefits, not least for the potential to deliver car-free footfall into the National Park and due to the likely uplift to Ashburton's economy. It is also recognised that such a link might provide for high quality walking and cycling networks and supporting facilities. The option for this exists through the identification of land at Chuley Road for redevelopment."

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

Whilst DNPA recognises that this opportunity may exist, and that these outcomes would be positive, there is currently little evidence to support this proposal to justify such an amendment at this point in time. DNPA believes there is sufficient reference to these potential opportunities/benefits within this section, in non project-specific terms.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0165

**Name:** Stephen Sterling

**Organisation:** Ashburton Climate Emergency (ACE)

**On behalf of:**

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**Rep. Number:** 4

**Local Plan Section:** 4.3

**Paragraph/policy** Policy 4.5 (2)

**Is the Local Plan sound?:** No

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**No

**Hearing session(s)?:** No, I do not wish to participate in hearing session(s)

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** No

**Detail of representation:**

We would like to commend the DNP's enthusiasm for creating Electric Vehicle Charging Points (EVCPs) on new developments but we do not feel that this goes far enough to be in line with the National Planning Policy Framework which requires meeting the NPPF's economic objective regarding "identifying & coordinating the provision of infrastructure" & its social objective requiring the provision of "accessible services."

We do not feel that only aiming to require EVCPs to be set up solely within on new developments is anywhere near enough for being prepared for the transport changes that are underway. The Department of Transport has committed to no new internal combustion engines being sold after 2040. The Government's Committee on Climate Change has said that this will be too late & will need to be brought back to 2035 at the very latest. The Local Plan states that "there are significant challenges in encouraging use of electric vehicles... Many people see little reason to make greener travel choices...", however, it seems not to take into account the fact that these policies are designed to be effective until 2036 when things will be very different.

At the moment there are 27,000 EVCPs around the UK - the Committee on Climate Change states that we will require 8 x that number of chargers. As such, the DNP's present Local Plan aspirations are far too low & it would be helpful to look at ways to extend the EVCP network far beyond new developments, eg to establish EVCPs in car parks & at various on-street sites within the DNP. (Eventually, when the technology is ready the Park will need to be ready to install under road wireless charging technology as is being trialled in Coventry at the moment. There are a few schemes whereby they could partner with renewable energy companies to make this easier & more affordable.)

**Charging with integrity:**

In addition, the DNP's Local Plan is also not consistent with the NPPF in regards to attaining its environmental objective "mitigating & adapting to climate change, including moving to a low carbon economy." (NPPF paragraphs 7 & 8) or its statement that "The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk & coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability & improve resilience... & support renewable & low carbon energy & associated infrastructure". (NPPF paragraph 148) because it makes no mention of where the electricity supplied via the EVCPs should be sourced.

The Local Plan needs to stipulate that all EVCPs can only be powered directly by renewable energy sources.

If the EV charging policy is to be effective at truly reducing CO2 emissions it will require that it is only set up in partnership with an energy supplier that provides only renewable energy. (At present the only two



fully renewable energy suppliers are Ecotricity & Good Energy. Ecotricity has been actively supportive in partnering to create EVCPs. Alternatively, if the DNP allowed large scale community renewable energy schemes, they could even supply the electricity directly!) If it is set up with a company that uses a mixed supply of energy but offers a green tariff, the company can state that the share apportioned for this usage is from renewables by reducing the share of renewables that they are providing to other non-green tariff users. If the electricity is bought from an electricity supplier who does not own their own renewable energy systems or doesn't buy directly from renewable energy suppliers, then they will just be buying REGO certificates without having an effective impact on increasing, supporting & improving the renewable energy sector.

We believe that the Local Plan is also not compliant with the Duty to co-operate in this regard, as it is not actively & effectively fulfilling its obligations to support the Devon County Council's Climate Emergency policy which states they will need to "deploy more renewable, decentralised & smart energy systems"

**Modifications necessary to make the Local Plan compliant:**

The DNP needs to be committed to developing an effective, park- wide, renewable energy powered EVCP infrastructure, so that no residents within the DNP lose their capacity to be mobile & so that visitors can also travel around easily by non CO2 producing means.

An alternative for visitors could be to establish several 'park & ride' locations where visitors can pick up local electric buses that can take them to the sights on the moor, so that they are not at risk of running out of power. This would also reduce vehicle use on the moor – reducing carbon emissions & protecting biodiversity.

**Authority response:**

The Local Plan has limited tools to be able to influence and require improvements in existing development, the Local Plan sets the requirements for new development.

Where EVCPs were identified as necessary community infrastructure by communities, policy allows flexibility to reduce the level of affordable housing required on a development in-lieu of provision of the identified community infrastructure. To achieve widespread installation of EVCPs funding from a diverse range of sources is likely to be necessary.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0131

**Name:** Hazel Jones

**Organisation:**

**On behalf of:**

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**Rep. Number:** 21

**Local Plan Section:** 4.3

**Paragraph/policy** Policy 4.5 (2)

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

p92 and 95 Requirement for Lighting management/development plan

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

It is an established policy principle that the plan should read as a whole, it is therefore not necessary to caveat each and every potential constraint relating to a development type within the policy.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0165

**Name:** Stephen Sterling

**Organisation:** Ashburton Climate Emergency (ACE)

**On behalf of:**

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**Rep. Number:** 5

**Local Plan Section:** 4.3

**Paragraph/policy** Policy 4.3 (2)

**Is the Local Plan sound?:** No

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:** No, I do not wish to participate in hearing session(s)

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** No

**Detail of representation:**

The Local Plan only looks at requiring transport sustainability on new developments, whereas it needs to be more proactive at improving transport sustainability across the whole Park. This could be through promoting public transport, & car sharing, or improving footways & bicycle tracks or bike parking or providing bicycle charging points to encourage the use of electric bikes. As such we deem it to be inconsistent with the National Planning Policy Framework which requires meeting the NPPFs economic objective to “identifying & coordinating the provision of infrastructure” & its social objective requires the provision of “accessible services.”

When the Local Plan refers to the rail options (4.3.2) we believe that considering such options is once again in contradiction to the NPPFs environmental objective which requires “mitigating & adapting to climate change, including moving to a low carbon economy.” (NPPF paragraphs 7 & 8), & paragraph 148 that states “The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk & coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability & improve resilience... & support renewable & low carbon energy & associated infrastructure”.

Two of the options mentioned in the Plan are heritage railways that rely on fossil fuels (coal & diesel), & therefore should not be under consideration.

**Modifications necessary to make the Local Plan compliant:**

The following additions are recommended:

The DNP recognises the potential for significant modal shift to walking for short journeys and will aim by the end of the Plan period to increase substantially the frequency of journeys under one mile long made on foot. This will be achieved by encouraging:

- the provision of direct, well-maintained and well-lit walking routes, including to and from schools;
- the provision of quality footways in towns and cities and Quiet Lanes in rural areas;
- the slowing down traffic through the use of 20mph zones and Home Zones.
- improved walking related infrastructures;
- Consideration of groups with disabilities or ageing members of the population when designing infrastructures (e.g. increasing pedestrian crossing times)

The Local Plan recognises the potential for a significant modal shift to cycling for short and medium journeys and aims, as a minimum, to quadruple the frequency of journeys made by bike by the end of the plan period. This will be achieved by providing a network of cycle-friendly streets, bicycle parking, electric bike charging facilities, multi-use paths and cycle routes in both urban and rural areas.

The DNP will also actively encourage & support public transport, car clubs & car sharing.

**Authority response:**

The Local Plan has limited tools to be able to influence and require improvements in existing development or the transport system, the Local Plan sets the requirements for new development.

Where transport infrastructure was identified as necessary community infrastructure by communities, policy allows flexibility to reduce the level of affordable housing required on a development in-lieu of provision of the identified community infrastructure. To achieve widespread transport improvements works funding from a diverse range of sources is likely to be necessary.

The Local Plan does actively encourage public transport, indeed by deliverin development in existing settlements the plan can support the continued viability of these services. The Transport Topic Paper discusses these issues in greater depth.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0048

**Name:** Andy Stokes

**Organisation:** Buckfastleigh Town Council

**On behalf of:**

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**Rep. Number:** 16

**Local Plan Section:** 4.3

**Paragraph/policy** 4.3.4

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

We certainly support the principle of not building more roads across the moor and further negatively impacting environment, however, we would like assurance that 4.3.4 (p 89) will not result in settlements like Buckfastleigh, South Brent and Ashburton, with their proximity to major existing roads, bearing the brunt of the future development targets for the park.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

The Housing Topic Paper section discusses the proposed distribution of development across Dartmoor at section 5.5 , Table 6 shows where housing delivery in the National Park has occurred.

The Topic Paper identifies a historic trend of under-delivery in the Rural Settlements and Villages and Hamlets, and over-delivery in the Local Centres and Open Countryside. This trend has been a key issue for the Local Plan review to address and was identified at the Local Plan issues consultation in 2016. The following is a brief summary of changes proposed to the housing strategy and how they seek to address these trends:

- A change from a two-tier settlement strategy to three-tier, the new middle-tier has a lower affordable housing requirement which will likely increase delivery in the Rural Settlements, but not the Villages and Hamlets.
- Sites are allocated for development in the Local Centres and Rural Settlements, the forecast yields are approximate (see Table 8) based on a standard methodology and actual yields may change after further site investigation
- A new local needs self- and custom-build policy allows single units to come forward without the need to provide affordable housing which may increase delivery of small infill sites across all settlements
- An option to deliver the affordable housing requirement on small sites as a financial contribution-in-lieu rather than on-site will provide a flexible approach that may increase delivery in Local Centres and Rural Settlements

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0090

**Name:** Rob Kinchin-Smith

**Organisation:** Friends of Ashburton Station (FoAs)

**On behalf of:**

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**Rep. Number:** 7

**Local Plan Section:** 4.3

**Paragraph/policy** 4.3.2

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

We note the change in the third bullet point at 4.3.2 from:

- Options to improve resilience at the Dawlish coastal mainline route include a long term (2030+) strategy for completion of an alternative route to the north of Dartmoor through Okehampton, Coleford Junction and Tavistock. Given substantial uncertainty at this time, and limited risk of the potential route being prejudiced by development, land has not been identified for this purpose within the Local Plan.

To

- Long term options (2030+) include reopening the Okehampton, Coleford Junction, Tavistock to Plymouth route north of Dartmoor.

Whilst most of the Bere Alston - Tavistock - Okehampton ('North Dartmoor') is a long-distance footpath / cycleway (and thus relatively protected by the new Policy 4.3 (2)), we remain very concerned about the failure of the Regulation 18 and Regulation 19 Local Plans to safeguard land for the strategically important North Cornwall Parkway station at the A30/A386 Sourton junction (a site just within the National Park's boundary).

The NPPF is clear that in preparing local plans, local planning authorities should work with neighbouring authorities and other external stakeholders to identify changing and future transport needs, particularly in regard to sustainable transport (walking, cycling and public transport):

Para 104 of the NPPF is explicit that in preparing Local Plans "Planning policies should:

- b) be prepared with the active involvement of local highways authorities, other transport infrastructure providers and operators and neighbouring councils, so that strategies and investments for supporting sustainable transport and development patterns are aligned;
- c) identify and protect, where there is robust evidence, sites and routes which could be critical in developing infrastructure to widen transport choice and realise opportunities for large scale development;
- e) provide for any large scale transport facilities that need to be located in the area, and the infrastructure and wider development required to support their operation, expansion and contribution to the wider economy. In doing so they should take into account whether such development is likely to be a nationally significant infrastructure project and any relevant national policy statements.

With regard to the Bere Alston - Tavistock - Okehampton ('North Dartmoor') route, the Peninsular Rail Task Force's last published timeline (February 2017)

<https://peninsularrailtaskforce.files.wordpress.com/2017/06/prtf-20-year-plan-timeline-27-02-17.pdf> shows the entire Bere Alston - Tavistock - Okehampton ('North Dartmoor') route (including the North Cornwall parkway station at the A30/A386 Sourton junction) completed by 2032, 1 year within the Dartmoor Local Plan period (2019-2033). Signatories to the Peninsular Rail Task Force include Cornwall Council, Devon County Council, Somerset County Council and Plymouth City Council, as well as Torbay Council and the Local Economic Partnerships (LEPs) for Cornwall and the Heart of the South West, all of which DNP has a statutory 'Duty to Cooperate' with on Strategic planning matters under the Localism Act, a Duty further emphasised by the NPPF (paras 24-27 as well as para 104 (above)).

The reopening is also supported by Railfuture South West (<https://www.railfuture.org.uk/article1503-The-case-for-Okehampton>), Gerard Duddridge's South West Rail Strategy, (R.D.S., 2000) (a copy of which is

in D.N.P.A.'s reference library) and by the Campaign for Better Transport, which lists the Bere Alston - Tavistock - Okehampton 'North Dartmoor' route in its "Top 12 Rail Line Reopenings" (<https://bettertransport.org.uk/our-top-12-rail-line-reopenings> )

As noted above, Paragraph 104 of the NPPF explicitly states that "Planning policies should... be prepared with the active involvement of... transport infrastructure providers and operators and neighbouring councils" and should "identify and protect, where there is robust evidence, sites and routes which could be critical in developing infrastructure to widen transport choice and realise opportunities for large scale development; and "provide for any large scale transport facilities that need to be located in the area".

Given that the Dartmoor Local Plan will last until 2033 and given that the Peninsular Rail Task Force's published timeline shows the entire route (including a North Cornwall parkway station at the A30/A386 Sourton junction) completed within the Dartmoor Local Plan period (2019-2033), we would continue to urge DNP to consult with all neighbouring authorities (and particularly Cornwall and Plymouth) on their needs for a resilient rail connection to the rest of the UK and what part DNP can play in assisting this objective through the Local Plan process. Certainly given the current incomplete nature of the published Evidence Base on the Transport topic and the lack of a relevant Statement of Common Ground on Transport, we would continue to argue for Policy support for rail reinstatement, and particularly for the North Cornwall Parkway station at the A30/A386 Sourton junction, a key strategic site that must be safeguarded.

Further consultation with relevant stakeholders (including the Peninsular Rail Task Force, Railfuture South West, the Campaign for Better Transport and Sustrans) and the relevant County and District councils may also indicate that some or all of the Teign Valley, Newton Abbot-Moretonhampstead and Princetown routes should be similarly protected, whether for rail reinstatement or for their potential as car-free footpaths or cycleways.

With regard to the first bullet point at 4.3.2, regarding the potential Buckfastleigh – Ashburton rail-link, we would continue to request that this be amended to:

"There has been a recent desire to explore whether the Buckfastleigh to Totnes heritage line could be extended to its original Ashburton terminus. It is recognised that such a link could result in considerable public benefits, not least for the potential to deliver car-free footfall into the National Park and due to the likely uplift to Ashburton's economy. It is also recognised that such a link might provide for high quality walking and cycling networks and supporting facilities. The option for this exists through the identification of land at Chuley Road for redevelopment."

#### **Modifications necessary to make the Local Plan compliant:**

#### **Authority response:**

The North Dartmoor rail route is given support consistent with that of the neighbouring strategic plan, the South West Devon Joint Local Plan. The issue is discussed at section 4 of the Transport Topic Paper.

#### **Authority proposed action:**

None proposed.

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**Respondent Number:** 0048

**Name:** Andy Stokes

**Organisation:** Buckfastleigh Town Council

**On behalf of:**

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**Rep. Number:** 17

**Local Plan Section:** 4.3

**Paragraph/policy** 4.3.6

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

4.3.6 Parking – We concur that parking is a massive problem for settlements such as ours, built on a medieval footprint, there is not enough room for all the cars in the town at present and it is an ongoing problem with which we would welcome help in tackling.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

Buckfastleigh need for parking is identified in the Infrastructure Delivery Plan and it may be possible in the future to identify a contribution towards provision of parking were the need to be proven and a suitable site to be found.

**Authority proposed action:**

None proposed.



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**Respondent Number:** 0090

**Name:** Rob Kinchin-Smith

**Organisation:** Friends of Ashburton Station (FoAs)

**On behalf of:**

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**Rep. Number:** 3

**Local Plan Section:** 4.3 **Paragraph/policy** Policy 4.3 (2)

**Is the Local Plan sound?:** Yes

**Is the Local Plan legally compliant?:** Yes

**Is the Local Plan compliant with the duty to co-operate?:** Yes

**Hearing session(s)?:** No, I do not wish to participate in hearing session(s)

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

We strongly support this additional Policy. We believe it reflects our comments on the Reg.18 Local Plan as well as paras 102 and 104 of the NPPF and Dartmoor's climate emergency commitments

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0200

**Name:** Tony Whitehead

**Organisation:**

**On behalf of:**

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**Rep. Number:** 4

**Local Plan Section:** 4.3

**Paragraph/policy** 4.3

**Is the Local Plan sound?:** No

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** No

**Detail of representation:**

On transport, a few general points and suggestions to make this section stronger:

Consideration might be given in the Local Plan to introducing “congestion charges” as a positive way to encourage consumer switch to lower emission and electric vehicles and a “tax” on high emission cars. This has I believe been considered previously in other national parks such as the Peak District.

On EV charging points:

1. The electricity for these should be supplied by zero-carbon suppliers.
2. The plan could also support the provision of solar PV on car parks linked to charging points
3. The plan could be more ambitious on active EV points on more than 5% of car parks – the demand for electric vehicles local might increase if points are made available.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

The Local Plan has no regulatory powers which would allow it to have control over road taxes or tolls. The Local Plan cannot require owners of EVCPs to purchase electricity from renewable suppliers. The installation of solar PV panels is supported by the Local Plan policies in principle. The 5% EVCP rate has been viability tested and is considered appropriate given the higher cost of access controlled points over private access points. The installation of passive charging means new active points can be installed at a later date when the market demands.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0090

**Name:** Rob Kinchin-Smith

**Organisation:** Friends of Ashburton Station (FoAs)

**On behalf of:**

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**Rep. Number:** 2

**Local Plan Section:** 4.3

**Paragraph/policy** 4.3.1

**Is the Local Plan sound?:** Yes

**Is the Local Plan legally compliant?:** Yes

**Is the Local Plan compliant with the duty to co-operate?:** Yes

**Hearing session(s)?:** No, I do not wish to participate in hearing session(s)

**Why?** N/A

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

We strongly support the additional sentence: "Despite the challenging context the Local Plan seeks to ensure development supports provision of sustainable transport opportunities and that development which prejudices these opportunities is refused." In terms of rail reinstatement and the development of other sustainable transport routes, we believe this addition better reflects paragraphs 102 and 104 of the NPPF

[Alternative wording also submitted]: We welcome and strongly support the changes in the Regulation 19 Final Draft Local Plan in support of sustainable transport options, in particular the addition to para 4.3.1 ("Despite the challenging context the Local Plan seeks to ensure development supports provision of sustainable transport opportunities and that development which prejudices these opportunities is refused.").

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

**Authority proposed action:**

None proposed

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**Respondent Number:** 0007

**Name:** Sue Green

**Organisation:** Home Builders Federation

**On behalf of:**

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**Rep. Number:** 8

**Local Plan Section:** 4.3

**Paragraph/policy** Policy 4.5 (2)

**Is the Local Plan sound?:** No

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**No

**Hearing session(s)?:** Yes, I wish to participate in hearing session(s)

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

Policy 4.5(2) requires that new dwelling(s) with a private driveway or garage provide 1 active EVCP per dwelling and new dwellings with communal car parking provide 5% of with an active EVCP and 50% of remaining spaces with a passive EVCP. This provision may only be varied where it is proven essential for development viability.

The HBF is supportive of encouragement for the use of electric and hybrid vehicles via a national standardised approach implemented through the Building Regulations to ensure a consistent approach to future proofing the housing stock. In 2018 the Government published its Road to Zero Strategy which set out a mission for all new cars / vans to be effectively zero emission by 2040. Recently the Department for Transport held (ended on 7th October 2019) a consultation on Electric Vehicle Charging in Residential & NonResidential Buildings. This consultation proposes regulatory changes (a new Part to Building Regulations) to result in more EVCPs for electric vehicles across the UK. The overnight charging of cars at home is generally cheaper and more convenient for consumers. It is the Government's intention for all new homes to be electric vehicle ready and require every new home to have an EVCP, where appropriate.

An optional standard is not the Government's preferred option. The preferred option is to introduce a new functional requirement under Schedule 1 to the Building Regulations 2010, which is expected to come into force in the first half of 2020. The inclusion of EVCP requirements within the Building Regulations 2010 will introduce a standardised consistent approach to EVCP in new buildings across the country. The requirements proposed apply to car parking spaces in or adjacent to buildings and the intention is for there to be one charge point per dwelling rather than per parking space. However, to limit the possible impact on housing supply the Government has also consulted on introducing exemptions for developments where the requirements are not technically feasible.

It is proposed that charging points must be at least Mode 3 or equivalent with a minimum power rating output of 7kW (expected increases in battery sizes and technology developments may make charge points less than 7 kW obsolete for future car models, 7 kW is considered a sufficiently future-proofed standard for home charging) fitted with a universal socket to charge all types of electric vehicle currently on the market and meet relevant safety requirements. All charge points installed under the Building Regulations should be un-tethered and the location must comply with the Equality Act 2010 and the accessibility requirements set out in the Building Regulations Part M. The installation of such charging points is estimated to add on an additional cost of approximately £976.

The introduction of EVCPs in new buildings will impact on the electricity demand from these buildings especially for multi-dwelling buildings. A requirement for large numbers of EVCPs will require a larger connection to the development and will introduce a power supply requirement, which may otherwise not be needed. The level of upgrade needed is dependent on the capacity available in the local network

resulting in additional costs in relation to charge point instalment.

The costs of installing the cables and the EVCP hardware will also vary considerably based on site-specific conditions in relation to the local grid. The Government recognises that the cost of installing EVCPs will be higher in areas where significant electrical capacity reinforcements are needed. In certain cases, the need to install charge points could necessitate significant grid upgrades which will be costly for the developer. Some costs would also fall on the distribution network operator. Any potential negative impact on housing supply should be mitigated with an appropriate exemption from the charge point installation requirement based on the grid connection cost. The consultation proposes that the threshold for the exemption is set at £3,600. In the instances when this cost is exceptionally high, and likely to make developments unviable, it is the Government's view that the EVCP requirements should not apply and only the minimum Energy Performance of Buildings Directive requirements should be applied.

It is the HBF's opinion that the DNPA should not be setting different targets or policies outside of Building Regulations. The DNPA should not be getting ahead of national policy which is expected to be implemented by mid 2020. Policy 4.5(2) should be deleted.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

The Government consultation is noted, but has not concluded and it is not yet clear what the Government response will be. It is therefore appropriate to continue to pursue a local approach in the interim, making assumptions about the Government response is inappropriate.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0096

**Name:** Peter Grubb

**Organisation:** Sticklepath PC

**On behalf of:**

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**Rep. Number:** 4

**Local Plan Section:** 4.3

**Paragraph/policy** Policy 4.5 (2)

**Is the Local Plan sound?:**

No

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

It is not positively prepared on the basis it is not achieving sustainable development to the full extent needed.

The policy requires electric charging point per new dwelling with private parking. However, for communal parking areas (even where off street) this requirement drops to 5%. This appears far too low and given communal car parking is a common feature in residential development this will not deliver the required transition to a low carbon economy.

A fundamental principle of the NPPF's environmental ambition is supporting a transition to the low carbon economy, through encouraging the reuse of existing resources and use of renewable resources (including renewable energy) to minimise our impact on climate change.

**Modifications necessary to make the Local Plan compliant:**

The requirement for EVCP should be significantly increased from 5%.

**Authority response:**

Communal parking targets are carefully balanced against development viability, recognising the cost of controlled access EVCPs is more costly. Further analysis of costs is available in the Transport Topic Paper and Whole Plan Viability Assessment

**Authority proposed action:**

None proposed

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**Respondent Number:** 0110

**Name:** barry hocken

**Organisation:**

**On behalf of:**

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**Rep. Number:** 2

**Local Plan Section:** 4.3

**Paragraph/policy** Policy 4.3 (2)

**Is the Local Plan sound?:** Yes

**Is the Local Plan legally compliant?:** No

**Is the Local Plan compliant with the duty to co-operate?:**No

**Hearing session(s)?:** No, I do not wish to participate in hearing session(s)

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

Recent local road closures have shown that the A382 is not capable of sustaining much additional traffic due to the many narrow and extensive sections of this road. So two observations:-

1. Allowing major developments in either of the local centres along this road will give rise to significant issues,
2. The DNP do not seem to have consulted properly with the relevant highways authorities to put in place a plan to resolve this situation.

**Modifications necessary to make the Local Plan compliant:**

Insufficient consultation with other authorities

**Authority response:**

DNPA have consulted with the Highways Authority throughout the Local Plan process. Most prominently their views were considered within the Land Availability Assessment which established the deliverability of sites in Chagford and Moretonhampstead.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0131

**Name:** Hazel Jones

**Organisation:**

**On behalf of:**

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**Rep. Number:** 22

**Local Plan Section:** 4.4

**Paragraph/policy** Policy 4.7 (2)

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

p98 Signs should not be lit.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

The policy allows this to be determined on a case by case basis and in accordance with the lighting hierarchy within Policy 2.5.

**Authority proposed action:**

None proposed.



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**Respondent Number:** 0153

**Name:** Keith Scrivener

**Organisation:**

**On behalf of:**

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**Rep. Number:** 1

**Local Plan Section:** 4.5 **Paragraph/policy** Policy 4.8 (2)

**Is the Local Plan sound?:** Yes

**Is the Local Plan legally compliant?:** Yes

**Is the Local Plan compliant with the duty to co-operate?:** Yes

**Hearing session(s)?:** No, I do not wish to participate in hearing session(s)

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

The Plan is sound and compliant and in particular I support your policy 4.8 (2) on Telecoms Development but I am very concerned about the roll-out of 5G masts and the Government's recent announcements that planning permissions will not be required for these. I think as a National Park you should insist on an exemption from this unlimited roll-out and ensure that local people and parish councils are consulted at first-stage planning application level. Checks and balances need to be maintained to protect our landscape.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

DNPA are not able to control permitted development rights through the Local Plan process, but we do actively respond to Government consultations on changes being made to permitted development rights.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0165

**Name:** Stephen Sterling

**Organisation:** Ashburton Climate Emergency (ACE)

**On behalf of:**

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**Rep. Number:** 7

**Local Plan Section:** 4.5

**Paragraph/policy** Policy 4.8 (2)

**Is the Local Plan sound?:**

No

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:** No, I do not wish to participate in hearing session(s)

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** No

**Detail of representation:**

The Local Plan states that telecommunications “equipment does not cause substantial harm to the character & appearance of the built environment &/or the National Park’s Special Qualities, particularly landscape character, heritage significance & tranquillity”

We feel that it should also say that it should also not harm wildlife, biodiversity or the health of the human population. This is particularly relevant for technologies such as 5G for which there has already been some concerning research about its potential harmfulness. We cannot risk adopting such unproven technology without there having been much research into the short & long term effects that it may have on people, insects & pollinators or other creatures.

This would be in line with the DNPs statement 2.3.2, which reflects the Government’s 25 Year Plan “to take urgent & effective action to halt alarming global & national declines in biodiversity.”

**Modifications necessary to make the Local Plan compliant:**

4.8 (2) 1 could have a further point:

d) there will be no approval before conclusive positive research evidence has been confirmed about the safety of the technology & equipment in regards to people and wildlife has become available.

**Authority response:**

The NPPF paragraph 116 requires that local planning authorities must determine applications on planning grounds only. They should not seek to prevent competition between different operators, question the need for an electronic communications system, or set health safeguards different from the International Commission guidelines for public exposure. There is therefore no scope to introduce local health safeguards which differ from the national standard.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0170

**Name:** John Richards

**Organisation:** N/A

**On behalf of:**

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**Rep. Number:** 1

**Local Plan Section:** 4.5 **Paragraph/policy** Policy 4.8 (2)

**Is the Local Plan sound?:** Yes

**Is the Local Plan legally compliant?:** No

**Is the Local Plan compliant with the duty to co-operate?:** Yes

**Hearing session(s)?:** No, I do not wish to participate in hearing session(s)

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** No

**Detail of representation:**

As far as I can see there is no mention in the plan of any policy with regard to the roll out of 5G in the Park.

This means that under the criteria the plan lacks soundness because the issue concerned is not yet already covered specifically by national planning policy.

However there are Government proposals to complete within the lifetime of the Plan to allow increased size of masts and development of these exempt from the need for planning applications.

4.5.3 talks about situations where a new mast or site is absolutely necessary but there is no mention or argument for 5G being thus.

2.2.5 talks about minimising effect on "Valued Attributes" and planning playing a key role in this, with examples.

The Plan assumes a planning infrastructure which will soon cease to exist.

**Modifications necessary to make the Local Plan compliant:**

Therefore there should be a mention of the Dartmoor Park Authority's proposed guidelines and policy on future telecommunications masts under the new regime. If the Authority has no policy or is waiting to rubber stamp future Government guidelines then the plan should state this. If nothing else this is a matter of transparency.

In order to make the Plan sound in this respect the Authority should state their proposed policy and/or "if it be the case" that they do not intend to follow their statutory purpose to conserve and enhance the natural beauty of the National Park.

**Authority response:**

Policy 4.8 (2) sets out DNPA's approach to telecommunication infrastructure generally.

NO specific mention of 5G technology does not make the plan unsound. Where 5G is proposed both the national and local policy is taken into account when decision making. The NPPF states local planning authorities must determine applications for telecommunications equipment on planning grounds only. They should not seek to prevent competition between different operators, question the need for an electronic communications system, or set health safeguards different from the International Commission guidelines for public exposure.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0131

**Name:** Hazel Jones

**Organisation:**

**On behalf of:**

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**Rep. Number:** 23

**Local Plan Section:** 4.5

**Paragraph/policy** Policy 4.8 (2)

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

pp 99, 106, 109 Requirement for Lighting impact statement.

Are there implications of late night opening on external lighting and light spill?

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

It is an established policy principle that the plan should be read as a whole, it is therefore not necessary to caveat each and every potential constraint relating to a development type within the policy.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0006

**Name:** Phil Baker

**Organisation:** South Hams District Council, West Devon Borough Council & Ply

**On behalf of:**

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**Rep. Number:** 1

**Local Plan Section:** 4.6

**Paragraph/policy** Policy 4.9 (2)

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

Plymouth City Council, South Hams District Council and West Devon Borough Council collaborated on the production of the Plymouth and South West Devon Joint Local Plan (JLP) which was adopted in March 2019. The JLP was also prepared with support, both formal through the Duty to Cooperate (DtC) requirements, and through informal input, of the Dartmoor National Park Authority.

The comments below are provided as a formal representation to the Regulation 19 consultation on the Dartmoor Local Plan 2018-2036. In general the JLP Councils support the approach being taken by DNPA through the emerging Local Plan, and would request that the JLP Councils continue to be involved as the plan progresses towards Submission to the Secretary of State to be considered for Examination. The JLP Councils look forward to further meetings with the DNPA as part of the continuing Duty to Cooperate process.

The JLP Councils' comments are as follows:

## 1.BIODIVERSITY

### STRATEGIC POLICY 4.9 (2) The Access Network

Mitigating the impact of recreational pressures arising from development within the Plymouth Sound and Estuaries European Marine Site (EMS) Zone of Influence.

Strategic Policy 4.9 (2)/potential policy omission

Not sound

Tests of Soundness:

- Not consistent with national policy (specifically NPPF Paragraph 16d) ie...Plans should... contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals)
- Not justified

The JLP Councils have concerns about the draft Dartmoor Local Plan because it is silent on the mechanism(s) to be used to mitigate the impact of recreational pressures arising from development in that part of Dartmoor which lies within the Plymouth Sound and Estuaries European Marine Site (EMS) Zone of Influence.

### Extent of Zone of Influence

The EMS comprises the Plymouth Sound and Estuaries Special Area of Conservation (SAC) and the Tamar Estuaries Complex Special Protection Area (SPA). The EMS Zone of Influence (Zol) includes a buffer zone for both the SPA and the SAC, a buffer of 12.3km from the boundaries of the two European sites. Natural England agreed the extent of the Zol in May 2018. The extent of the Zone of Influence was informed by the evidence in the EMS Recreation Study Document 04. Survey of recreational use within the Plymouth Sound and Estuaries European Marine Site: Scoping report and survey results (March

2017);

The JLP HRA S12.7 makes clear that : “The study confirmed that all the activities which had been identified as having the potential to have a likely significant effect on the features were taking place throughout the SAC and the SPA. It also found that people had a very strong attachment to the coast and were prepared to travel a significant distance to the site”.

The Zol covers all of Plymouth City, parts of the South Hams and West Devon and parts of Cornwall. Over 16,000 new homes are planned in around Plymouth Sound and Estuaries up to 2034, not including the National Park. Parts of the Dartmoor National Park are also in the Zol, albeit development in Dartmoor will be a small part of the overall development within the Zol. Development in that National Park area would add to growth overall.

#### Habitat Regulations

The Conservation of Habitats and Species Regulations 2017 (the Habitat Regulations), requires mitigation for any impact which a proposed development, in combination with other plans or project, is likely to have on a European site. It requires local planning authorities to ensure that the necessary mitigation will be provided before planning permission is granted.

The Habitat Regulations Assessments of both the Plymouth and South West Devon Joint Local Plan and the Cornwall Local Plan both identified that the development of the new houses in both areas would lead to increased levels of recreational activity which would be likely to have a significant effect on the designated features of both the Plymouth Sound and Estuaries SAC and the Tamar Estuaries Complex SPA. Both documents therefore stipulated that recreational management would be required in order to ensure that there are no likely significant effects on the European sites.

The Dartmoor Local Plan Regulation 19 consultation is accompanied by the Habitats Regulations Assessment (June 2019) relating to the draft Plan. The Dartmoor HRA has considered the impacts of these 2 European Sites. However, the JLP Councils consider that the Dartmoor HRA conclusions need clarification (including the assessment in Appendix IV, eg on pages 11 and 14). This is because it is not yet clear that the Dartmoor HRA has been informed by or taken account of relevant evidence available in the JLP evidence base notably

- the EMS Recreation Study Document 04. Survey of recreational use within the Plymouth Sound and Estuaries European Marine Site: Scoping report and survey results (March 2017); and
- the JLP Habitats Regulations Assessment (2017 and updated 2018).

The JLP Councils are mindful that if the study and JLP HRA are not informing the draft Dartmoor Plan, then alternative, detailed evidence specific to the Dartmoor part of the Zol may be needed to demonstrate that recreational pressures on the 2 European sites will not arise.

#### The development plan

Policies in the development plan are one means to guide development management decisions within the Zol. So Policy SPT14 in the adopted Plymouth and South West Devon Joint Local Plan “requires the mitigation of recreation impacts on European Sites where development is proposed within the identified zones of influence around those European Sites that are vulnerable to adverse recreational impacts. Residential development, student and tourist accommodation within these zones of influence will be required to provide for appropriate management, mitigation and monitoring on site, and/or financial contributions towards off site mitigation and management. This will need to be agreed and secured prior to approval of the development....”

Draft Plan paragraph 2.3.15 on recreational pressures refers to Strategic Policy 4.9. The third part in Strategic Policy 4.9 (2) The Access Network in the draft Dartmoor Local Plan states the “The Authority will seek to ensure development within or outside the National Park which is likely to increase harmful recreational pressure on Dartmoor’s Special Qualities, particularly biodiversity, cultural heritage and the access network, is appropriately mitigated.” However the draft plan, including Strategic Policy 4.9 (2) and its reasoned justification, is silent on the approach the DNPA will take regarding mitigation of recreation impacts on European sites outside Dartmoor.

#### Strategic Solution

The emerging Plymouth Sound and Estuaries EMS Recreation Mitigation and Management Scheme is setting out the required strategic approach to the provision of mitigation for increased recreational impacts on the Plymouth Sound and Tamar Estuaries EMS arising from new housing and tourism growth

up to 2034. It does not address the impact of existing activities, which is the role of the separate Tamar Estuaries Management Plan and the 'European Marine Site Managing Recreational Impacts Programme Phase 1' project.

This strategic solution relies on the Zone of Influence because evidence shows that mitigation should be required from all dwellings built within 12.3km of the boundaries of the EMS. This is a precautionary approach. The strategic solution includes the Strategic Access Management and Monitoring Strategy (SAMMS) list of measures. This package of appropriate mitigation measures is being drawn up in consultation with Natural England and partner LPAs. The package of measures will form the basis of the level of contributions sought from development.

#### Implementation of the Strategic Solution

Implementation of the SAMMS measures will require resources. The resource costs will need to be funded from developer contributions. Currently, the 4 LPAs (Plymouth, South Hams, West Devon and Cornwall) party to the strategic solution will pool the developer contributions received and implement the mitigation measures through the delivery of the Plymouth Sound and Estuaries EMS Recreation Mitigation Partnership (EMSRMP). The Tamar Estuaries Consultative Forum (TECF) will provide the overseeing management of implementation

Dartmoor National Park Authority is not in the partnership. Nevertheless Dartmoor lies partly within this EMS Zone of Influence. When planning applications are determined the DNPA will still need to consider the likely significant effect from development in the Zone of Influence, when taken in combination with other plans and projects, upon these European designated sites. Development in Dartmoor in the Zone of Influence cannot ignore 'in combination' effects on the EMS.

#### Resolving the JLP Councils' concerns

The JLP Councils are mindful that JLP HRA Appendix 1 provides the Review of other plans. This included the "Dartmoor Local plan -1st Local Plan Review (consultation closes Jan 2017)" where the conclusion about the Likely Significant Effects (LSE) In combination on European site was " Potential LSE Small areas of New Development Could contribute to recreational pressure on the Plymouth Sounds and Estuaries SAC and Tamar Estuaries Complex SPA (will depend on outcomes of ZOI)". This was included in the in combination assessment made in the JLP HRA. So, at this time, the JLP Councils consider that Likely Significant Effects associated with in-combination, recreational impacts from new residents within the ZOI in Dartmoor should be screened in the Dartmoor HRA, and at Dartmoor HRA paragraph 3.44 proceed to Appropriate Assessment.

A way forward that would resolve the JLP Councils' concerns is for:

- the Dartmoor HRA explicitly to consider the available evidence including the Recreation impact study and the JLP HRA , and then reassess whether Table 3.6 and paragraphs 3.23 and 3.25, and 3.44 of the June 2019 Dartmoor HRA have reached the correct conclusion with respect the Plymouth SAC and Tamar SPA, prior to submission of the Dartmoor Local Plan.
- then the DNPA to reconsider the evidence in the Dartmoor HRA; and
- then, informed by advice from Natural England, the DNPA to update the Natural Environment Topic Paper to articulate the DNPA's reconsideration of the implications of the evidence in terms of:
  - a)whether a strategic policy should be included in the Dartmoor Local Plan on the mitigation of impacts on European sites outside the National Park (which would have the benefit of being tested at Examination and having been assessed for example by the Sustainability Appraisal/SEA and informed by the Plan's HRA); and
  - b)if a policy is not included in the Local Plan, identify what alternative mechanisms would be available to provide appropriate mitigation. For example, without a policy, then individual HRAs of each development would be necessary. If screening in the HRA identifies Likely Significant Effects then it would proceed to the Appropriate Assessment stage which triggers consultation with Natural England. One easily available means to mitigate the impact is for each relevant development within Dartmoor to make a financial per dwelling contribution towards the 'strategic solution' mitigation identified on the SAMMS list for the EMS.
  - c)If new Local Plan policy is appropriate, the DNPA should consider the means to introduce new policy, including any further updates to the evidence in the Sustainability Appraisal/SEA and the Viability Assessment of the overall plan.

#### REASONED JUSTIFICATION PARAGRAPH 2.3.15



Section 2.3.15 states that mitigation is required for recreational impacts . This is based on the SWEEP report which did not carry out any interviews and used instead data derived from a national dataset.

The HRA for the Plymouth and South West Devon Joint Local Plan - see web link

<https://www.plymouth.gov.uk/sites/default/files/UpdatedHabitatRegulationsAssessmentChangesAgreedStatementOfCommonGroundWithNaturalEnglandChanges.pdf>

included a more comprehensive assessment of the potential for recreational impacts on both the Dartmoor SAC and the South Dartmoor Woods SAC (see section 12.3.7 to 12.3.9) and concluded in section 12.3.10 that:

"These two SACs are considered together because they are adjacent and there is some overlap with their designated habitats.

The strategic approach to greenspace provision in the Joint Plan area, combined with the choice of other sites available and the active management of Dartmoor National Park will avoid any impacts on the Dartmoor SAC or the Dartmoor Woods SAC.

There are also in-combination effects which need to be considered as Teignbridge Local Plan was also not able to rule out adverse effects arising from recreational disturbance. The avoidance measure it identified was also to work with Dartmoor National Park Authority to ensure that there is adequate monitoring in place. Therefore by working with Teignbridge and through the measures explained above, measures can be introduced through the existing management structures should monitoring identify that an issue needs to be addressed, namely through the Duty to Cooperate and considering options for managing and financing residual cumulative recreational impacts if the Visitor Survey data and analysis indicate it is necessary

It is therefore concluded that there will be no adverse impact, either alone or in-combination with other plans or projects, on the integrity of either the Dartmoor SAC or the South Dartmoor Woods SAC, either alone or in combination, arising from increased recreational pressures. "

The JLP Councils conclude that consequently, further evidence including site surveys is required before any recreational mitigation plan can be developed as they must be evidence based. The JLP Councils welcome the opportunity to work with Dartmoor NPA through the Duty to Cooperate.

#### **Modifications necessary to make the Local Plan compliant:**

#### **Authority response:**

DNPA have worked with the JLP Councils through the Duty to Cooperate to resolve recreational impact issues. With regards with Plymouth Sound and Tamar Estuaries SACs, it is agreed the level of development within the National Park part of the Zol is negligible within the context of growth across the whole Zol. The potential impact of seeking financial contributions from new housing within the Dartmoor part of the Zol would be significant, in the context of the priorities for development within the National Park. On this basis the parties have agreed that whilst new residential development within the National Park would be within the Zol, it would not be required to make a financial contribution, as the contributions from the quantum of development elsewhere in the Zol will deliver the mitigation strategy.

With regards recreational impacts on Dartmoor's SACs, the Authority is continuing to work with neighbouring authorities through Duty to Co-operate discussions including by encouraging them to consider the implications of the likely increase in recreation in their local plans and to help DNPA develop a mitigation strategy to manage impacts into the future, including by supporting additional research if necessary.

#### **Authority proposed action:**

None proposed.

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**Respondent Number:** 0046

**Name:** Corine Dyke

**Organisation:** Natural England

**On behalf of:**

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**Rep. Number:** 8

**Local Plan Section:** 4.6

**Paragraph/policy** Policy 4.9 (2)

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

Plymouth Sound and Estuaries SAC & Tamar Complex SPA The HRA needs to address the impact of recreational disturbance arising from proposed housing within the plan area at Yelverton, on the Plymouth Sound and Estuaries SAC/Tamar Complex SPA. Yelverton falls within the zone of influence established through development of the adopted Plymouth and South West Devon Local Plan (JLP), within which development is considered to have a likely significant impact on the SAC/SPA. Evidence developed for the JLP should be referred to in undertaking this assessment together with the strategic solution put forward to mitigate impacts. We are not able to concur with the screening conclusion set out in paras 3.23 and 3.25 that there will be no likely significant effect on these European sites.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

**Authority proposed action:**

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**Respondent Number:** 0048

**Name:** Andy Stokes

**Organisation:** Buckfastleigh Town Council

**On behalf of:**

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**Rep. Number:** 18

**Local Plan Section:** 5 **Paragraph/policy**

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

'New business and tourism development will be permitted within and adjoining Local Centres and Rural Settlements where it is of an appropriate scale and use.'

There is a perception amongst residents (and councillors) that business development, though often more damaging to the environment than small-scale domestic improvements, is given automatic preference and that businesses are not subject to the same rigour as home-owners. We believe the language and wording of this section supports that belief and would like assurance that businesses will be subject to the same level of scrutiny as other residents.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

All development is required to be in accordance with policies in the Local Plan.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0055

**Name:** Ed Persse

**Organisation:** EJFP Planning Ltd

**On behalf of:** Mr A Lopes

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**Rep. Number:** 2

**Local Plan Section:** 5.1 **Paragraph/policy** Policy 5.1 (2)

**Is the Local Plan sound?:** Yes

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:** No, I do not wish to participate in hearing session(s)

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

Welcome the changes to criterion 3 which now includes tourism development.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

**Authority proposed action:**

None proposed

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**Respondent Number:** 0063

**Name:** Richard Bailey

**Organisation:** Bell Cornwell LLP

**On behalf of:** Peninsula Properties (owners of land at Exeter Road, South Brent)

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**Rep. Number:** 3

**Local Plan Section:** 5.1

**Paragraph/policy** Policy 5.1 (2)

**Is the Local Plan sound?:** Yes

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

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.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

None proposed

**Authority proposed action:**

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**Respondent Number:** 0131

**Name:** Hazel Jones

**Organisation:**

**On behalf of:**

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**Rep. Number:** 24

**Local Plan Section:** 5.1

**Paragraph/policy** Policy 5.1 (2)

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

pp 99, 106, 109 Requirement for Lighting impact statement.

Are there implications of late night opening on external lighting and light spill?

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

It is an established policy principle that the plan should be read as a whole, it is therefore not necessary to caveat each and every potential constraint relating to a development type within the policy.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0048

**Name:** Andy Stokes

**Organisation:** Buckfastleigh Town Council

**On behalf of:**

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**Rep. Number:** 19

**Local Plan Section:** 5.1

**Paragraph/policy** 5.1.4

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

5.1.4 (p100) As mentioned earlier we would like to see affordable housing offset payments if permitted to be ring-fenced for provision of affordable housing.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

Addressed earlier.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0132

**Name:** Bas PAYNE

**Organisation:** Moretonhampstead Parish Council

**On behalf of:**

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**Rep. Number:** 14

**Local Plan Section:** 5.1

**Paragraph/policy** Policy 5.1 (2)

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

No useful change [from Reg 18 comment].

Comments stand, though we appreciate that DNPA has limited scope to help to make changes.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

As recognised in the comment, DNPA are not responsible for parking or business rates and have limited ability to negotiate changes to these. However the comments are noted.

Regarding changes of use of shops, the local plan introduces a more flexible policy which allows change of use to a broad variety of A Class uses. After 6 months unsuccessful marketing an even greater variety of active uses are permissible. Residential conversion is only permissible after 12 months marketing evidence to ensure Dartmoor's town centres , their shops, facilities and services, are retained for the benefit of communities.

**Authority proposed action:**

None proposed.



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**Respondent Number:** 0011

**Name:** Amy Roberts

**Organisation:** Bell Cornwell

**On behalf of:** FMB Projects Ltd

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**Rep. Number:** 4

**Local Plan Section:** 5.2

**Paragraph/policy** Policy 5.1 (2)

**Is the Local Plan sound?:**

No

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

Strategic Policy 5.1(2) Non-Residential Business and Tourism Development

This draft policy supports non-residential business and tourism development within or adjoining local centres and rural settlements.

Part 4 states that existing business and employment sites and premises will be retained for economic uses and proposals involving their loss will be carefully assessed to ensure Dartmoor's business and industry needs would not be harmed.

Observations on Draft Policy

Our client is generally supportive of the strategy for the economy set out on page 103. However, some additional flexibility and clarity is still needed within draft Strategic Policy 5.1 (2) to create more opportunities to provide local jobs and services and enable the policy to meet the tests of soundness.

The Dartmoor National Park Authority recognises that suitable development land is extremely scarce within the National Park and, therefore, every effort must be made to optimise the use of existing sites if Dartmoor is to do its overarching duty of fostering the economic and social wellbeing of local communities. By explicitly allowing uses ancillary and complementary to the more traditional B1/B2/B8 employment uses (which are often located on employment sites), for example leisure/recreation uses falling within Use Class D2, Strategic Policy 5.1(2) would meet the tests of soundness by being:

- positively prepared – providing a strategy that has the flexibility to meet the needs of Dartmoor's settlements, create opportunities to provide new jobs and services and the make settlements more self-serving at a time when local services are declining.
- Justified – an appropriate strategy to optimise the use of existing employment sites in an area where development opportunities are limited.
- Consistent with national policy – enabling the delivery of sustainable development.

As an owner of an established business park in Christow (Gidley's Meadow), our client is aware of how local planning policies can unduly restrict the ability of established sites to respond to, and accommodate, changing occupier needs. Whilst Gidley's Meadow is experiencing good occupancy levels at present, measures do need to be put in place to make the site more resilient to these changing needs.

Gidley's Meadow is well-related to the centre of the community of Christow and could accommodate a range of complementary, employment-generating uses (that fall outside of the traditional Class B employment uses) within its existing built form, such as an ancillary cafe or a small farm shop. Providing some additional room for manoeuvre within the draft policy with explicit support for complementary uses would create opportunities to provide new jobs and services and make Christow more self-serving without the requirement for any new buildings (so as not to cause any visual harm to the special qualities of the national park). To re-iterate the example given back in January 2019, the owner has been approached by a local yoga instructor who was interested in taking a small vacant unit due to a lack of alternative opportunities in the village, but was prohibited by the current policy position. A similar approach was received from a local business keen to operate a small café and farm shop. Such uses inherently create

more employment opportunities than uses strictly within, for example, Use Classes B1 or B8.

New investment in Gidley's Meadow would have the knock-on effect of enabling the owners to improve the aesthetics of the site; creating a better-quality business park, which would enhance the special qualities of the national park.

Suggested Revision to Strategic Policy 5.1(2) 4

Part 4 of draft Strategic Policy 5.1 (2) should clarify what is meant by 'economic uses', and the definition should include uses ancillary and complementary to the more traditional B1/B2/B8 employment uses, for example leisure/recreation uses falling within Use Class D2. Other complementary uses could be farm shops, trading local produce sourced from within a reasonable local radius, or small café units to serve the employees of the employment site and the local community, both of which would be employment generating uses.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

Policy 5.1 (2) does include flexibility within it to consider ancillary employment uses on a case by case basis. Policy 5.2 (2) sets out a 150m<sup>2</sup> threshold for applying the town centre sequential test. For proposals below this threshold, there is the opportunity to be more flexible provided this does not harm Dartmoor's business and industry needs.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0063

**Name:** Richard Bailey

**Organisation:** Bell Cornwell LLP

**On behalf of:** Peninsula Properties (owners of land at Exeter Road, South Brent)

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**Rep. Number:** 4

**Local Plan Section:** 5.2

**Paragraph/policy** Policy 5.2 (2)

**Is the Local Plan sound?:**

No

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:** Yes, I wish to participate in hearing session(s)

**Why?**

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

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

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.

**Modifications necessary to make the Local Plan compliant:**

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."

**Authority response:**

Permitted development rights in the Town and Country Planning (General Permitted Development) (England) Order 2015 have been considered as a benchmark for setting this threshold. In particular Part R was reviewed which grants permitted development rights to allow the conversion of agricultural buildings to flexible commercial uses. A full discussion of why we consider this to be justified is available at section 6.4 of the Economy Topic Paper.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0207

**Name:** Richard Bailey

**Organisation:** Bell Cornwell

**On behalf of:** Peninsula Properties

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**Rep. Number:** 3

**Local Plan Section:** 5.2

**Paragraph/policy** Strategic policy 5.1 (2)

**Is the Local Plan sound?:** Yes

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:** No

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

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.

**Modifications necessary to make the Local Plan compliant:**

n/a

**Authority response:**

**Authority proposed action:**

None proposed

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**Respondent Number:** 0132

**Name:** Bas PAYNE

**Organisation:** Moretonhampstead Parish Council

**On behalf of:**

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**Rep. Number:** 15

**Local Plan Section:** 5.3

**Paragraph/policy** Policy 5.3

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

[Reg 18 comment] Object: The marketing period of 6 months set in Paragraph 5.3.2 seems over-short in relation to how the local market works. We ask that this period be extended to 12 months. We also ask that Paragraph 3 be amended so that once the 12-month marketing period has passed, it should then be possible to move more speedily.

No change.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

This comment appears inconsistent with the PC's earlier comments requesting more flexibility for residential changes of use.

The marketing period is phased to allow flexibility for a broader range of active uses before residential uses is permissible. The significant uplift in value achieved when residential use is secured means that it is rarely possible for converted shops to return to an active use, and the community benefit of that unit is then lost for the foreseeable future and likely forever. Changes of use between A Class and B1a, C1 and D Class uses is readily achievable by the market.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0207

**Name:** Richard Bailey

**Organisation:** Bell Cornwell

**On behalf of:** Peninsula Properties

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**Rep. Number:** 4

**Local Plan Section:** 5.3

**Paragraph/policy** Strategic policy 5.2

**Is the Local Plan sound?:**

No

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:** Yes

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

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

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 to 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.

**Modifications necessary to make the Local Plan compliant:**

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."

**Authority response:**

Permitted development rights in the Town and Country Planning (General Permitted Development) (England) Order 2015 have been considered as a benchmark for setting this threshold. In particular Part R was reviewed which grants permitted development rights to allow the conversion of agricultural buildings to flexible commercial uses. A full discussion of why we consider this to be justified is available at section 6.4 of the Economy Topic Paper.

**Authority proposed action:**

None proposed.



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**Respondent Number:** 0130

**Name:** Emma James

**Organisation:** Okehampton Town Council

**On behalf of:**

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**Rep. Number:** 3

**Local Plan Section:** 5.3 **Paragraph/policy** Strategic Policy 5.2 (2)

**Is the Local Plan sound?:** Yes

**Is the Local Plan legally compliant?:** No

**Is the Local Plan compliant with the duty to co-operate?:** Yes

**Hearing session(s)?:** No, I do not wish to participate in hearing session(s)

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

Page 108 c & d The council supports the need for connecting services at both Ivybridge and Okehampton with DNP. Public transport needs to allow visitors direct access to DNP

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0096

**Name:** Peter Grubb

**Organisation:** Sticklepath PC

**On behalf of:**

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**Rep. Number:** 7

**Local Plan Section:** 5.3

**Paragraph/policy** Policy 5.2 (2)

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

The policies are not as effective as they could be. They doesn't specify a timeframe for market testing for loss of community facilities and only specify 6 months for town centre uses, prior to any attempt at changing the use of such a facility.

This could lead to confusion and anxiety in local communities.

The policy protecting community services and facilities does not set down any specific timeframes for applicant's to market a property and properly test the market. The Local Plan states:

"The case for losing community services or facilities cannot be based upon the short term needs of an owner or tenant, or their current business model. The case must demonstrate a business or facility is not workable in the long term by exploring the full range of potential uses or ways to operate it."

The emphasis here is on the long term, so we would welcome reference to at least 12 months of market testing before an application is made. This avoid ambiguity for applicants and the local community on what is expected.

The policy protecting town centres only specifies 6 months, which is insufficient time.

The NPPF at paragraph 92 clearly sets out protection for community facilities stating "planning policies should...guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs;"

**Modifications necessary to make the Local Plan compliant:**

Adding a timeframe for at least 12 months market testing in both policies.

**Authority response:**

Adding a market test for the loss of community facilities would significantly weaken the policy approach, as many may be bespoke or unattractive for other community uses and could easily be lost. A policy based on community need is most robust.

**Authority proposed action:**

None proposed.



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**Respondent Number:** 0131

**Name:** Hazel Jones

**Organisation:**

**On behalf of:**

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**Rep. Number:** 25

**Local Plan Section:** 5.3

**Paragraph/policy** Policy 5.3 (2)

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

pp 99, 106, 109 Requirement for Lighting impact statement.

Are there implications of late night opening on external lighting and light spill?

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

It is an established policy principle that the plan should be read as a whole, it is therefore not necessary to caveat each and every potential constraint relating to a development type within the policy.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0048

**Name:** Andy Stokes

**Organisation:** Buckfastleigh Town Council

**On behalf of:**

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**Rep. Number:** 20

**Local Plan Section:** 5.3

**Paragraph/policy** 5.3.8

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

5.3.8 (p104) States that Local Centre shopping areas are generally successful with low vacancies. Unfortunately, this is clearly not the case for Buckfastleigh town centre, with many retail and business premises having a high turnover and several retailers struggling to break even as economic and other pressures increase. We fear that we are close to dropping below a 'critical mass' where Fore Street fails. We have seen quite a few retail outlets and even pubs turned into homes in recent years and can see no reason why this trend will not continue unless innovative solutions are found. If Fore Street fails, then this affects the viability of Buckfastleigh as a Local Centre as laid out in the Local Plan. If the DNPA can find any ways to pro-actively support local businesses, this would be very welcome indeed. A lifeline is needed.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

The Local Plan introduces a more flexible policy for shopping areas which will allow more flexible use of retail space than has been permitted previously. Further discussion on the background to this policy is available in the Economy Topic Paper.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0214

**Name:** Jeremy Thres

**Organisation:**

**On behalf of:**

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**Rep. Number:** 6

**Local Plan Section:** 5.4

**Paragraph/policy** 5.4.12

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** No

**Detail of representation:**

[LATE COMMENT]

Lastly in relation to 5.4.12

5.4.12 Camping pods, shepherd huts and other structures which are permanently or seasonally sited on the land have a similar impact to touring caravan sites and proposals for these structures will be considered in the same way as a new caravan site.

This contrasts to Exmoor National Park who in their pre climate emergency draft plan acknowledged the difference between these and the visual impact and scale of caravan sites:

New forms of camping provided: A wider range of visitors are encouraged to come to the National Park through draft policies to support camping barns, through conversions of traditional buildings, and small scale alternative camping accommodation such as timber camping pods, microlodges, traditional Romany caravans, shepherd huts, yurts, wigwams and teepees in certain locations. Such alternative forms of camping can be more sympathetic to the landscape in terms of their colour and materials to that of static or touring caravans and provide a wider range of visitor accommodation.

Currently 5.4.12 by contrast actively precludes against a new and growing form of tourism and visitorship where people want to be much closer to the land, both to experience and learn from it, as well as provide income and other support towards it's care, which is both popular and has great potential to support and compliment changing to low carbon transport patterns eg one can cycle if one doesn't have to bring a tent.

A suggested change is:

5.4.12 Camping pods, shepherd huts and other structures which are permanently or seasonally sited on the land are more sympathetic to the landscape and road users than have a similar impact to touring caravan sites and proposals for these structures will be considered on a small scale in the same way as a new caravan site.

**In Conclusion:**

The CEO of insurance and asset manager Aviva in 2018 said: "not acting sustainably is very bad business indeed. Climate change in particular represents the mother of all risks – to business and to society as a whole."

Since then Co2 has continued to climb and emergency declared. It is my hope DNP and the Government take this risk seriously and re-consult and work with communities, ideally through more thorough

assemblies and consultations, not just village hall drop ins, and creatively consider this new context, so together the healthiest way can be found. In truth like any crisis it is an opportunity to look deeply at the many causes not just tinker with the symptoms and creatively recalibrate in a healthier low carbon direction, even lead the way, for the benefit not just of us but also other species too.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

This type of development shares many characteristics as touring caravan development and is not a traditional development type in the Dartmoor landscape. Much of the landscape impact is from associated infrastructure, paths, landscaped areas and the proliferation of small structures which can have an urbanising effect on the landscape. This said the statement is not intended to be absolute, a proposed modification highlights the statement gives an indication of the impact these structures can have and how this will be considered.

**Authority proposed action:**

Modification proposed as follows:

'Camping pods, shepherd huts and other structures which are permanently or seasonally sited on the land [can] have a similar impact...'

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**Respondent Number:** 0055

**Name:** Ed Persse

**Organisation:** EJFP Planning Ltd

**On behalf of:** Mr A Lopes

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**Rep. Number:** 4

**Local Plan Section:** 5.4

**Paragraph/policy** Policy 5.6 (2)

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:** Yes, I wish to participate in hearing session(s)

**Why?** To discuss the points made in this representation

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

Policy 5.6(2) 2 a seems to be a retrograde step in light of DMD44 and the acceptance of pods, shepherd huts and other similar structures in rural areas under DMD44. It is considered that there is an opportunity for high quality and innovate structures to be assimilated into the landscape in villages/hamlets and the open countryside which will have limited impact on the landscape yet be beneficial in terms of providing high quality and unique tourist accommodation with the National Park boundary. This would have a benefit on the local economy and those traders etc. within the park. Additionally, high quality/unique/bespoke holiday accommodation that is thoughtfully and considerately sited is likely to have less of an impact on the adjoining landscape than tents.

Concerns are also raised in relation to the point made in paragraph 5.4.11 that the long-term siting of holiday accommodation such as yurts does not contribute to the local economy. This is clearly not correct, such holiday lets do contribute to the local economy and to say that they do not is simply incorrect.

**Modifications necessary to make the Local Plan compliant:**

The policy is suggested to be amended as follows;

2(c) for a new building is met through the conversion of a redundant building, and suitable historic buildings are used first in accordance with strategic policy 2.7; or the provision of high-quality/Bespoke/unique structures for holiday accommodation which are assimilated into the landscape; and

Other National Parks support the following preamble is found in the North Yorks Moor National Park Plan Policy UE1 is intended to cover traditional camping (though not caravans) and also newer forms of non-permanent tourist accommodation, where accommodation that is fabricated off site and can be easily removed without harm to the landscape but which is likely to still form a long lasting but reversible form of development. This policy also applies to new types of 'glamping' or alternative and distinctive types of accommodation (pods, yurts, teepees, shepherd huts etc.) that have evolved in response to a quickly changing market, and which can support an existing rural business, farm or estate. It applies across the whole of the National Park, thereby allowing for low impact, non-permanent sustainable schemes to come forward across the National Park.

Thus other Parks have understood and appreciated the ever-changing tourism market and adapted their policy so as to cater for this fact. It is therefore, suggested that the DNPA adopt a similar policy stance as outlined above.

Furthermore, should the DNPA accept the above for inclusion in this policy, it is considered such structures should not be subject to the 28 day rule as suggested in paragraph 5.4.11 and criterion 3(b).



While such a restriction is suitable and justified for touring caravan and tent, it is not for the suggested high quality bespoke/unique/accommodation suggested.

Paragraph 5.4.11 needs amendment such that it confirms that holiday lets as yurts do contribute to the local economy and this should be recognised in the Local Plan. Furthermore, the recent Glover Report recognises the benefits of tourism and the positive impact this sector has on the local economy.

**Authority response:**

The statement in paragraph 5.4.12 is not intended to be absolute, a proposed modification highlights the statement is intended to give an indication of the impact these structures can have and how this will be considered.

The statement at paragraph 5.4.11 is intended to highlight the practice of storing these structures by keeping them erected on the land while they are not being used for their purpose. A proposed modification highlights this.

**Authority proposed action:**

Modifications proposed to paragraphs 5.4.11 and 5.4.12

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**Respondent Number:** 0055

**Name:** Ed Persse

**Organisation:** EJFP Planning Ltd

**On behalf of:** Mr A Lopes

---

**Rep. Number:** 3

**Local Plan Section:** 5.4

**Paragraph/policy** Policy 5.4 (2)

**Is the Local Plan sound?:** No

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:** Yes, I wish to participate in hearing session(s)

**Why?** To discuss the points made in this representation

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

Concerns relating to the restrictive nature of the requirements set out in criterion 4(c) of the policy.

**Modifications necessary to make the Local Plan compliant:**

In terms of criterion 4 (c) it is considered that there should be greater flexibility, such dwellings will not always be located that is conducive to occupation as an affordable dwelling. Therefore, the policy should also consider commuted sums and local occupancy.

**Authority response:**

DNPA believe there is sufficient flexibility in the plan to allow alternative provision of affordable housing where the criteria in section 3.5 are met.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0171

**Name:** Michael Shaw

**Organisation:**

**On behalf of:**

---

**Rep. Number:** 1

**Local Plan Section:** 5.4

**Paragraph/policy** Strategic Policy 5.6 (2)

**Is the Local Plan sound?:** Yes

**Is the Local Plan legally compliant?:** No

**Is the Local Plan compliant with the duty to co-operate?:** Yes

**Hearing session(s)?:** No, I do not wish to participate in hearing session(s)

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** No

**Detail of representation:**

Proposed Policy 5.6 (2) 'Camping and touring caravan sites'

The proposed draft Policy relates only to new touring caravan and camping sites and makes no provision for upgrading and aesthetic or environmental improvements to existing sites. This is not consistent with the National Planning Policy Framework and therefore this policy is unsound.

Existing touring and holiday caravan sites are occupied, almost exclusively, by white gloss painted metal clad caravan units which stand out significantly in the landscape. The DNPA have no control over the aesthetic appearance of caravan units sited on existing sites and they can vary in size, colour and appearance without control. To this day, the Caravan Acts of 1960 & 1968 set out the definition of a caravan and as long as a unit meets the legal definition of a caravan, a LPA cannot restrict or control the appearance or size of caravans on existing sites. Whilst any new grant of planning consent for a caravan site can impose conditions relating to the external appearance of the units, the only way to facilitate this control over an existing site is by encouraging the site owner to upgrade the site. Where a site owner can upgrade the caravan units to a higher quality and therefore value, and is encouraged by a policy facilitating this, the opportunity arises for the LPA to make a planning gain in terms of the aesthetic and environmental improvements.

Aside from their negative aesthetic impact, touring caravans also create constant traffic movements on the main roads and lanes, often at the busiest times of the week, adding to congestion. Touring caravans are particularly ill suited to the narrow lanes and tight bends of Dartmoor roads.

The draft Policy should include provision to permit and encourage the upgrading of both existing touring and holiday caravan sites where it facilitates the removal of unsightly and highly visible units and replaces them with new caravan units. The new caravan units would need to provide a significant aesthetic improvement such as natural timber cladding, slate or green / living roofs, as well as improvements to landscaping. Whilst this will involve a more permanent use of a touring pitch, it must be remembered that the existing pitch is never going to disappear and that the aesthetic, environmental and congestion benefits far outweigh this negative.

This will not create any proliferation of development in rural areas and will not result in any increase in the number of caravan units. It will solely result in r

**Modifications necessary to make the Local Plan compliant:**

Suggested additional clause to the policy:

Existing touring caravan and holiday caravan parks will be permitted to replace existing pitches with new holiday caravan pitches only where this will result in the removal of existing traditional metal clad caravans and their replacement with caravans which have a significant aesthetic improvement,

specifically that they have unpainted timber cladding and natural slate roofs, or green living roofs. It is will also be a requirement for natural landscaping to be planted to screen the development in order to reduce its impact on the countryside. Planning conditions will be imposed to ensure that any future replacement caravan on a pitch will adhere to the approved design and materials

**Authority response:**

As the responded points out, older permissions will benefit from an absence of conditions relating to appearance, and thus defer to the definition under the Caravan Acts. Those sites most likely to benefit from enhancements are therefore those where permission is most likely not required to make them, and thus whilst desirable, little benefit from come from additional wording which may 'incentivise' improvements. Other policies relating to design, and landscape do, at a broader scale, encourage and support development proposals which would achieve an improvement in character and appearance.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0058

**Name:** Marcus Salmon

**Organisation:** Environment Agency

**On behalf of:**

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**Rep. Number:** 12

**Local Plan Section:** 5.4

**Paragraph/policy** Policy 5.6 (2)

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

Section 5 – Economy

The supporting text (paragraphs 5.4.10 to 5.4.13) to Policy 5.6 (Camping and touring caravan sites) needs to acknowledge that these types of development are considered to be more vulnerable in terms of flood risk. Both the sequential and exception tests are applicable to camping and caravan sites. It is also worth noting that it can be difficult to provide adequate warning to ensure people using these sites will be able to safely evacuate in time.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

A modification is proposed to paragraph 2.7.4 explaining vulnerability.

**Authority proposed action:**

A modification is proposed to paragraph 2.7.4.

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**Respondent Number:** 0174

**Name:** Roger Stokes

**Organisation:** Lydford Caravan & Camping Park

**On behalf of:**

---

**Rep. Number:** 1

**Local Plan Section:** 5.4

**Paragraph/policy** Policy 5.5 (2)

**Is the Local Plan sound?:** Yes

**Is the Local Plan legally compliant?:** Yes

**Is the Local Plan compliant with the duty to co-operate?:** Yes

**Hearing session(s)?:** No, I do not wish to participate in hearing session(s)

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** No

**Detail of representation:**

I wish to say how pleased I am that DNPA have recognised the difficulties in attracting and retaining staff to work in local serviced accommodation businesses, where staff accommodation cost and availability is frequently an issue.

Certainly my business has struggled with this over the years, where our staff are expected to 'exist' in a caravan for months on end, especially in Lydford, where it rains a lot!

I welcome this forward thinking and considerate policy

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0058

**Name:** Marcus Salmon

**Organisation:** Environment Agency

**On behalf of:**

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**Rep. Number:** 13

**Local Plan Section:** 5.5

**Paragraph/policy** Policy 5.7 (2)

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

We consider that sub-section 5.5 (agriculture, forestry and rural land-based enterprise development) presents a real opportunity to secure important enhancements in land management that can help achieve a net gain for the environment. We therefore recommend that Policy 5.7 includes a requirement for land management plans like those required by Policy 5.9 and set out in paragraph 5.7.4.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

The planning system does not control the use of land for agriculture or forestry and so does not have the regulatory powers to control what land management practices are carried out. Equine use is a controllable land use under the planning system and so this justifies the approach in policy 5.9

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0026

**Name:** Paul Cottington

**Organisation:** National Farmers' Union

**On behalf of:**

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**Rep. Number:** 6

**Local Plan Section:** 5.5

**Paragraph/policy** Policy 5.8 (2)

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

Policy 5.5 and 5.6 The points made above for 3.9 pertain to this section too. Farm diversification is becoming an increasingly important part of the farm income on Dartmoor and support for this is welcomed.

The NFU and its members are always willing to work with Dartmoor National Park in order to develop planning that supports farmers in their efforts to improve their business, deliver food security, natural capital and multiple public benefits. I hope that you find our contribution to the consultation useful. If you require further information or clarification of any of the points raised in the response please do not hesitate to contact me at the South West Regional Office.

As Prof Michael Dower said at the East Devon 50th AONB celebration in 2013, "The best way to sustain a landscape is to sustain in modern form the way of life that created it."

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

Addressed in previous comment

**Authority proposed action:**

None proposed.



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**Respondent Number:** 0217

**Name:** John Severn

**Organisation:**

**On behalf of:**

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**Rep. Number:** 0

**Local Plan Section:** 5.5

**Paragraph/policy** 5.5

**Is the Local Plan sound?:** no

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:**

**Detail of representation:**

The plan should acknowledge / recommend that agricultural buildings need to be developed to cope with increasing frequency of extreme weather events.

**Modifications necessary to make the Local Plan compliant:**

The plan should encourage developers to design agricultural buildings to higher standard and levels of protection against the elements

**Authority response:**

Noted, however the planning system does not control the constructional details of agricultural buildings, this is specified by building regulations.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0214

**Name:** Jeremy Thres

**Organisation:**

**On behalf of:**

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**Rep. Number:** 3

**Local Plan Section:** 5.6

**Paragraph/policy** 5.6.1

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** No

**Detail of representation:**

[LATE COMMENT]

5.6.1 acknowledges likely even further impacts and likely losses for farming on the moor, and it is great it is supporting diversification. However small scale farming was the backbone of the agricultural way of life dnp inherited. This has been eroded by economic and political forces and ideas about how to live. I feel the terms lifestyle and hobby farm are being used in 5.6.3 derisively and also new entrants are being actively precluded against, where as new entrants and these type of farms, small holdings and peasant plots, even if not perceived as economic or profitable (see earlier re the limits to business as usual economic criteria), need to be celebrated and embraced. They often practice older slower ways of farming that our wildlife such as curlew (now down to one pair in part due to farming practices such as silage vs hay) have evolved alongside and though they may not employ a full time worker quite a number of local people gain extra income through hedge laying and basic support of such holdings. Small is Beautiful as Schumacher said, so I suggest that these new old forms are not precluded against or undermined.

5.6.3 This policy is only primarily intended to support established and active farms. not lifestyle or hobby farms. Where there is uncertainty, applicants will be required to demonstrate ecological benefits before and after diversification and that they significantly contribute to the income of at least one rural worker. vs

- the farm contributes to the income supports at least one full-time agricultural worker; and
- and the business' total agricultural receipts are at least 30% (vs 40, soften it a bit) of the total gross receipts (i.e. before costs and taxes) in the most recent financial year.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

The potential benefit of small farming enterprises is acknowledged and understood. Ensuring farms are economically sustainable and have a functional need for the proposed development is considered a robust minimum to safeguard the National Park against potential harmful impacts from short-term development on enterprises which are not sustainable.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0131

**Name:** Hazel Jones

**Organisation:**

**On behalf of:**

---

**Rep. Number:** 26

**Local Plan Section:** 5.6

**Paragraph/policy** Policy 5.8 (2)

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

p118 Policy 5.8 1b add dark night skies

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

It is an established policy principle that the plan should be read as a whole, it is therefore not necessary to caveat each and every potential constraint relating to a development type within the policy.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0091

**Name:** Matthew Cuthbert

**Organisation:** Aggregate Industries UK Limited

**On behalf of:**

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**Rep. Number:** 4

**Local Plan Section:** 6 **Paragraph/policy** Strategy

**Is the Local Plan sound?:** Yes

**Is the Local Plan legally compliant?:** No

**Is the Local Plan compliant with the duty to co-operate?:** Yes

**Hearing session(s)?:** No, I do not wish to participate in hearing session(s)

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

OBJECTION - Chapter 6 " Minerals, Waste and Energy, Page 123 second paragraph which states "Minerals Development should: — maximise the use of recycled materials and secondary aggregates, in preference to primary minerals extraction.

Recycled and secondary aggregates are unsuitable for some construction applications as a substitute for primary aggregates. The wording of this bullet point should be revised to reflect the advice in the NPPF 2019 at Paragraph 204 (b) . This is so the Local Plan is consistent with the NPPF19 as per Paragraph 35 Point (d). This was previously highlighted during the First Draft consultation and remains within the Final Draft.

**Modifications necessary to make the Local Plan compliant:**

It is suggested that the wording of the paragraph is amended by including the words "as far as practicable"

**Authority response:**

DNPA believes that, in the National Park context, it is appropriate to seek to maximise secondary and recycled aggregate. It recognises that this is not a substitution for primary aggregate. In an area where primary extraction can have a significant impact, and in the context of minimising our impact upon climate change through waste reduction and minimising primary extraction, it is considered that the use of secondary and recycled aggregate should be maximised. This phrase identifies a preference in the Dartmoor context, and clearly does not preclude the use of primary aggregate. It is not considered to conflict with National Policy, but does place a clear emphasis of a sequential approach which is considered appropriate in the National Park context.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0049

**Name:** Mike Deaton

**Organisation:** Devon County Council

**On behalf of:**

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**Rep. Number:** 1

**Local Plan Section:** 6 **Paragraph/policy**

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

Major development is formally defined as winning and working of minerals; waste development; development of 10 dwelling houses or more; a building (s) of more than 1,000 square metres of floor space; or development carried out on a site of 1ha or more. The current wording could be interpreted as meaning that development of this scale would be unlikely and needs to be considered in the context of the potential scale of some of the allocations and the extant planning application for the extension to Linhay Quarry.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

Both the Local Plan and NPPF definition of Major Development, for the purposes of paragraph 172 of the NPPF and policy 1.5 (2) of the Local Plan, state it is not the statutory definition for a major planning application (e.g. 10 houses or more). Footnote 55 of the NPPF helps clarify this matter. Further discussion on this issue and DNPA's approach is available at section 13 of the Minerals and Waste Topic Paper.

**Authority proposed action:**

None proposed

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**Respondent Number:** 0002

**Name:** John Penny

**Organisation:** Devon Stone Federation

**On behalf of:**

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**Rep. Number:** 5

**Local Plan Section:** 6 **Paragraph/policy** Strategy

**Is the Local Plan sound?:** Yes

**Is the Local Plan legally compliant?:** No

**Is the Local Plan compliant with the duty to co-operate?:** Yes

**Hearing session(s)?:** No, I do not wish to participate in hearing session(s)

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

Plan needs to be consistent with national policy

**Modifications necessary to make the Local Plan compliant:**

The second bullet point states

Minerals development should:

a) maximise the use of recycled materials and secondary aggregates, in preference to primary minerals extraction

It is not clear how this will be achieved. Recycled or secondary aggregates are technically unsuitable for many construction applications.

The wording of this bullet point should be revised to reflect the advice in NPPF para 204 b), by including the words "as far as possible..." or equivalent.

**Authority response:**

Noted, modification proposed to include "as far as practicable", consistent with NPPF.

**Authority proposed action:**

Noted, modification proposed to include "as far as practicable", consistent with NPPF.

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**Respondent Number:** 0005

**Name:** Barry Wilson

**Organisation:** E&JW Glendinning Ltd

**On behalf of:**

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**Rep. Number:** 6

**Local Plan Section:** 6 **Paragraph/policy** Strategy

**Is the Local Plan sound?:** No

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:** Yes

**Why?** This representation was also made at the Reg 18 stage, but was not noted in the Summary of Responses to the Regulation 18 consultation.  
It is important that the National Park Authority understands the implications of the wording in the Reg 19 version of the plan and if no change is made then we wish to have an opportunity to explain this at the Examination.

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

The strategy states: 'Minerals development should .... maximise the use of recycled materials and secondary aggregates, in preference to primary minerals extraction' (second bullet point).

Recycled and secondary aggregates are produced by minerals development (and by other aggregate processors) but not used. Therefore the requirement to maximise the use of recycled aggregates is not strictly relevant in this context.

Also the wording of the bullet point ignores the point that the scope to use recycled aggregates in preference to primary aggregates is constrained because they are technically unsuitable for many construction applications. This last point is acknowledged in para 204 b) of the NPPF which states b) so far as practicable, take account of the contribution that substitute or secondary and recycled materials and minerals waste would make to the supply of materials, before considering extraction of primary materials, whilst aiming to source minerals supplies indigenously;

**Modifications necessary to make the Local Plan compliant:**

The strategy wording should be changed to say  
'Minerals development should ...

As far as practical maximise the supply of recycled materials and secondary aggregates, as an alternative to primary minerals extraction'.

Alternatively omit this bullet point from chapter 6 altogether.

It is notable that policy 1.2 (2) Sustainable development, criterion i) includes the words 'where possible' in relation to the use of sustainable materials.

See box above for reasons why this change will make the plan sound.

**Authority response:**

Noted, modification proposed to include "as far as practicable", consistent with NPPF.

**Authority proposed action:**

Noted, modification proposed to include "as far as practicable", consistent with NPPF.





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**Respondent Number:** 0131

**Name:** Hazel Jones

**Organisation:**

**On behalf of:**

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**Rep. Number:** 27

**Local Plan Section:** 6.1

**Paragraph/policy** Policy 6.1 (1)

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

p125 Policy 6.1 The developer must provide an impact statement. The onus is not on the DNPA.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

The onus is on the applicant to demonstrate compliance with the policy tests, not the Authority.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0002

**Name:** John Penny

**Organisation:** Devon Stone Federation

**On behalf of:**

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**Rep. Number:** 3

**Local Plan Section:** 6.1 **Paragraph/policy** Strategic Policy 6.1 (2)

**Is the Local Plan sound?:** Yes

**Is the Local Plan legally compliant?:** No

**Is the Local Plan compliant with the duty to co-operate?:** Yes

**Hearing session(s)?:** Yes, I wish to participate in hearing session(s)

**Why?** Yes, to ensure the policy is consistent with national policy

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

plan should be consistent with national policy

**Modifications necessary to make the Local Plan compliant:**

The changes to policy 6.1 are not consistent with national policy. The introduction of different policy tests for small and large scale mineral development do not define the boundaries for large and small and move away from the approach established in national policy of the tests for major development in National Parks. In addition the tests in section 1 of the policy are not consistent with the tests in national policy or even the Local Plan at strategic policy 1.5.

The wording of section 1 should revert to major minerals development and the subsequent tests should reflect national guidance and for sections 2 and 3 the use of the small scale should be replaced by "For mineral development that is not considered to be major development"

**Authority response:**

Noted, modification proposed to Strategic Policy 6.1 (2) to make major development the key test for minerals development in the National Park.

**Authority proposed action:**

Modification proposed to Strategic Policy 6.1 (2) to make major development the key test for minerals development in the National Park.

---

**Respondent Number:** 0049

**Name:** Mike Deaton

**Organisation:** Devon County Council

**On behalf of:**

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**Rep. Number:** 9

**Local Plan Section:** 6.1 **Paragraph/policy** Policy 6.1 (2)

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

The consideration of wider need (outside the NP) for certain minerals is supported. Provision of sufficient building stone for conservation purposes, where re-use of materials is not possible, is very important. However, it would be appropriate to be clearer in Strategic Policy 6.1 and 6.2 that 'local need' can relate to the supply of conservation materials for use outside as well as inside the NP (where the need is proven, and impact is managed).

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

Noted, though it would be important that this is clearly related to building conservation. A small modification is proposed to the supporting text at 6.1.5.

**Authority proposed action:**

Proposed modification to insert "inside the National Park, or beyond" in respect of providing materials for building conservation

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**Respondent Number:** 0002

**Name:** John Penny

**Organisation:** Devon Stone Federation

**On behalf of:**

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**Rep. Number:** 2

**Local Plan Section:** 6.1

**Paragraph/policy** 6.1.10

**Is the Local Plan sound?:** Yes

**Is the Local Plan legally compliant?:** No

**Is the Local Plan compliant with the duty to co-operate?:** Yes

**Hearing session(s)?:** Yes, I wish to participate in hearing session(s)

**Why?** to ensure national policy is followed on this important matter

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

Plan needs to be consistent with national policy

**Modifications necessary to make the Local Plan compliant:**

supporting text needs to refer to the "agent of change" approach introduced in the NPPF at paragraph 182. Insert an additional sentence referring to the need for the planning system to ensure that existing businesses do not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where the operation of an existing business could have a significant adverse effect on new development in its vicinity then it is for the applicant of the proposed new development who is required to provide suitable mitigation.

the reference in the supporting text to "where development may prejudice future minerals extraction" should be expanded to refer to associated transport and processing facilities so it is consistent with the policy wording

**Authority response:**

There is no need to repeat the "agent of change" principle from the NPPF. It is also a principle for all businesses not just minerals extraction.

Expanding the supporting text is not considered necessary, the broader terminology is considered appropriate and more inclusive.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0005

**Name:** Barry Wilson

**Organisation:** E&JW Glendinning Ltd

**On behalf of:**

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**Rep. Number:** 10

**Local Plan Section:** 6.1

**Paragraph/policy** 6.1 (1)

**Is the Local Plan sound?:** No

**Is the Local Plan legally compliant?:** possibly

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:** Yes

**Why?** This is a very important point and should be carefully considered by the National Park Authority before the Examination, and if no change is made then we wish that it is carefully considered by the Inspector at the Examination.

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

It is inconsistent to have a different approach to major minerals development from that taken for any other form of major development.

It cannot be assumed (as this version of the policy seems to do) that a 'large scale' mineral operation is necessarily 'major' as defined by the NPPF and set out in part 1.5. The NPPF definition of 'major' involves other considerations apart from just the scale of the operation, ie. Also its 'nature' and 'setting' and 'whether it could have a significant adverse impact on the purposes for which the area has been designated or defined'.

Also, the criteria in this policy are not consistent with the NPPF para 172. It introduces new elements and omits others. I.e.:-

- It does not explicitly refer to national considerations;
- It does not refer to the "impact of permitting it, or refusing it, upon the local economy" at all;
- The cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way" is replaced by "an objective assessment of alternatives outside the National Park";
- The NPPF refers to "any detrimental effect on the environment, the landscape and recreational opportunities", but the Reg 19 version of the plan refers to "impact upon the special qualities of the National Park" and "strategic priorities for the National Park".

Furthermore, there is no definition of the strategic priorities for the National Park. If the implication is that in assessing major mineral proposals the NPA will consider the purposes and not the statutory duty of the National Park, then this is clearly both illegal and unsound.

Compare with policy 1.5 (2) on page 24, where the wording is much closer to the NPPF wording, but please note the representation Part F additional comment 4 above in relation to the need criterion re 'national need' as opposed to 'in terms of any national considerations'.

**Modifications necessary to make the Local Plan compliant:**

The words 'large scale' should be replaced by 'major' and the criteria in the policy should be changed to match that of policy 1.5 (2), with criteria a) and b) merged to read:

a) the need for the development, including in terms of national considerations and the impact of permitting it, or refusing it, upon the local economy;

The other criteria from policy 1.5.(2) should be relabelled accordingly in policy 6.1.(1).

There should be no reference to 'strategic priorities for the National Park' in the policy.

Alternatively reword the first part of policy 6.1 (1) to say that major minerals development will be assessed against policy 1.5 (2).

See box above for reasons why this change will make the plan sound

**Authority response:**

Noted, modification proposed to strategic policy 6.1 (2) to make major development the test for minerals proposals in the National Park.

**Authority proposed action:**

Noted, modification proposed to strategic policy 6.1 (2) to make major development the test for minerals proposals in the National Park.

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**Respondent Number:** 0049

**Name:** Mike Deaton

**Organisation:** Devon County Council

**On behalf of:**

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**Rep. Number:** 10

**Local Plan Section:** 6.1

**Paragraph/policy** Policy 6.2 (2)

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

The consideration of wider need (outside the NP) for certain minerals is supported. Provision of sufficient building stone for conservation purposes, where re-use of materials is not possible, is very important. However, it would be appropriate to be clearer in Strategic Policy 6.1 and 6.2 that 'local need' can relate to the supply of conservation materials for use outside as well as inside the NP (where the need is proven, and impact is managed).

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

Noted, though it would be important that this is clearly related to building conservation. A small modification is proposed to the supporting text at 6.1.5.

**Authority proposed action:**

Proposed modification to insert "inside the National Park, or beyond" in respect of providing materials for building conservation

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**Respondent Number:** 0005

**Name:** Barry Wilson

**Organisation:** E&JW Glendinning Ltd

**On behalf of:**

---

**Rep. Number:** 9

**Local Plan Section:** 6.1

**Paragraph/policy** 6.1.4

**Is the Local Plan sound?:** Yes

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

We support and welcome the recognition that  
'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.'

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

**Authority proposed action:**

None proposed



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**Respondent Number:** 0005

**Name:** Barry Wilson

**Organisation:** E&JW Glendinning Ltd

**On behalf of:**

---

**Rep. Number:** 9

**Local Plan Section:** 6.1

**Paragraph/policy** 6.1.4

**Is the Local Plan sound?:**

No

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:** Yes

**Why?** This is an important point and should be carefully considered by the National Park Authority before the Examination, and if no change is made then we wish that it is carefully considered by the Inspector at the Examination.

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

The paragraph refers to 'large scale mineral development' rather than 'major mineral development' as was the case in the Reg 18 version of the plan.

This is confusing and compounds the confusion about the definition of 'major development' that was in the Reg 18 version of the plan; confusion which this version of the plan seeks to clarify in part 1.5 'Major development'.

The wording of the paragraph is also inconsistent with the definition of major development set out in part 1.5.

The effect of using the term 'large scale' rather than 'major' has implications for policy 6.1 (1), which is commented on below.

**Modifications necessary to make the Local Plan compliant:**

Change the first line of this policy to 'Major minerals development ....'

Once it is changed, provide a cross reference to the definition of 'Major development' in part 1.5.

Alternatively the definition of Major development could be repeated in part 6.1.

See box above for reasons why this change will make the plan sound.

**Authority response:**

Noted, modification proposed to make major development the relevant test for minerals development in the National Park.

**Authority proposed action:**

Noted, modification proposed to make major development the relevant test for minerals development in the National Park.

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**Respondent Number:** 0005

**Name:** Barry Wilson

**Organisation:** E&JW Glendinning Ltd

**On behalf of:**

---

**Rep. Number:** 7

**Local Plan Section:** 6.1

**Paragraph/policy** 6.1.2

**Is the Local Plan sound?:**

No

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:** Yes

**Why?** If no change is made then we wish to have the opportunity to emphasise this point to the Inspector at the Examination.

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

The paragraph states

‘Furthermore minerals operations may go on for many years, with potential benefits and impacts seen both during and after the mineral working.’

Whilst this may be true in some circumstances, it is not the important distinguishing characteristic of mineral working.

The important characteristic, as advised by Government guidance\* is ‘

‘[mineral] working is a temporary use of land, although it often takes place over a long period of time;’

\* <https://www.gov.uk/guidance/minerals#minerals-overview>

**Modifications necessary to make the Local Plan compliant:**

The wording should be changed to:

‘Whilst mineral extraction is a temporary use of land, it may go on for many years, with potential benefits and impacts seen both during and after the mineral working.’

See box above for reasons why this change will make the plan sound.

**Authority response:**

Noted, modification proposed to paragraph 6.1.2 to align with comment.

**Authority proposed action:**

Noted, modification proposed to paragraph 6.1.2 to align with comment.

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**Respondent Number:** 0002

**Name:** John Penny

**Organisation:** Devon Stone Federation

**On behalf of:**

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**Rep. Number:** 4

**Local Plan Section:** 6.1

**Paragraph/policy** 6.1.4

**Is the Local Plan sound?:** Yes

**Is the Local Plan legally compliant?:** Yes

**Is the Local Plan compliant with the duty to co-operate?:** Yes

**Hearing session(s)?:** No, I do not wish to participate in hearing session(s)

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

the second sentence of the paragraph correctly highlights the advantages of being able to extend existing operations and the improving environmental performance of the minerals industry.

**Modifications necessary to make the Local Plan compliant:**

N/A

**Authority response:**

**Authority proposed action:**

None proposed

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**Respondent Number:** 0077

**Name:** Julia Webberly

**Organisation:** South West Aggregates Working Party

**On behalf of:**

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**Rep. Number:** 2

**Local Plan Section:** 6.1

**Paragraph/policy** Policy 6.3 (2)

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

2. Concern has been expressed about Strategic Policy 6.3(2) 'Minerals Safeguarding' to the effect that, as currently drafted, the policy does not set out the circumstances and criteria where development would be permitted within a mineral safeguarding area, for example exempt development or prior extraction. There does not seem to be much consideration of mineral infrastructure.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

Supporting text paragraph 6.1.10 describes that the Authority will take into account opportunity for prior extraction and non-sterilising uses and believes this to appropriately cover this area. It is unclear what additional consideration of minerals infrastructure is proposed.

**Authority proposed action:**

None proposed

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**Respondent Number:** 0091

**Name:** Matthew Cuthbert

**Organisation:** Aggregate Industries UK Limited

**On behalf of:**

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**Rep. Number:** 2

**Local Plan Section:** 6.1

**Paragraph/policy** 6.1.4

**Is the Local Plan sound?:** Yes

**Is the Local Plan legally compliant?:** No

**Is the Local Plan compliant with the duty to co-operate?:** Yes

**Hearing session(s)?:** No, I do not wish to participate in hearing session(s)

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

OBJECTION - Chapter 6 "Minerals, Waste and Energy, Paragraph 6.1.4. The wording for this paragraph has been changed from 'Major' to 'Large Scale'. The term 'Major' is used within the National Planning Policy Framework 2019 (NPPF19) during Paragraphs 172 and 173 (Including Footnote 55) when referring to development in the National Parks and not 'Large Scale'. This wording should be amended so that the Local Plan can be consistent with the NPPF19 as per Paragraph 35 Point (d).

**Modifications necessary to make the Local Plan compliant:**

It is suggested that to be consistent with the NPPF19 the wording should be amended from 'Large Scale' to 'Major'.

**Authority response:**

A modification is proposed to Policy 6.1 (2) which will make the major development test (set out in Strategic Policy 1.5 (2)) the relevant consideration when determining if a renewable energy development is appropriate in the National Park or not.

**Authority proposed action:**

A modification is proposed to Policy 6.1 (2) which will make the major development test (set out in Strategic Policy 1.5 (2)) the relevant consideration when determining if a renewable energy development is appropriate in the National Park or not.

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**Respondent Number:** 0091

**Name:** Matthew Cuthbert

**Organisation:** Aggregate Industries UK Limited

**On behalf of:**

---

**Rep. Number:** 3

**Local Plan Section:** 6.1 **Paragraph/policy** Policy 6.1 (1)

**Is the Local Plan sound?:** Yes

**Is the Local Plan legally compliant?:** No

**Is the Local Plan compliant with the duty to co-operate?:** Yes

**Hearing session(s)?:** No, I do not wish to participate in hearing session(s)

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

OBJECTION - Chapter 6 "Minerals, Waste and Energy, Policy 6.1 (1) New or Extended Mineral Operations. The Policy as drafted appears to apply the "exceptional circumstances"™ test in Paragraph 172 of the National Planning Policy Framework 2019. However the wording of this policy is not consistent with the NPPF19 and should be amended so the Local Plan is consistent with the NPPF19 as per Paragraph 35 Point (d). This was previously highlighted during the First Draft consultation and remains within the Final Draft.

**Modifications necessary to make the Local Plan compliant:**

It is suggested that to be consistent with the NPPF19 the wording should be amended to include:

**Authority response:**

A modification is proposed to Policy 6.1 (2) which will make the major development test (set out in Strategic Policy 1.5 (2)) the relevant consideration when determining if a renewable energy development is appropriate in the National Park or not.

**Authority proposed action:**

A modification is proposed to Policy 6.1 (2) which will make the major development test (set out in Strategic Policy 1.5 (2)) the relevant consideration when determining if a renewable energy development is appropriate in the National Park or not.

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**Respondent Number:** 0198

**Name:** Christopher Tofts

**Organisation:** Stephens Scown LLP

**On behalf of:** Imerys Minerals Limited

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**Rep. Number:** 5

**Local Plan Section:** 6.1

**Paragraph/policy** Policy 6.3 (2)

**Is the Local Plan sound?:**

No

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:** Yes

**Why?** So as to ensure that the Local Plan's policies (and supporting text) relating to minerals development is appropriate.

**Did respondent comment on Reg 18 Local Plan?:** No

**Detail of representation:**

The text in para 6.1.11 omits reference to the safeguarded area shown on the Policies Map at Lee Moor (etc).

Section 6.1 - Whilst reference is made to building stone (6.1.5), no reference is made to the clay industry, which is an internationally significant mineral (other than in passing (6.1.1)).

<https://www.bgs.ac.uk/downloads/start.cfm?id=1362>

**Modifications necessary to make the Local Plan compliant:**

Add bullet point to 6.1.11:-

-Lee Moor China Clay pits and infrastructure

**Authority response:**

Noted and minor modification proposed.

**Authority proposed action:**

Minor modification proposed.

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**Respondent Number:** 0198

**Name:** Christopher Tofts

**Organisation:** Stephens Scown LLP

**On behalf of:** Imerys Minerals Limited

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**Rep. Number:** 2

**Local Plan Section:** 6.1 **Paragraph/policy** Policy 6.1(1)(4) (also 6.2(2))

**Is the Local Plan sound?:** No

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:** Yes

**Why?** So as to ensure that the Local Plan's policies (and supporting text) on minerals development is appropriate.

**Did respondent comment on Reg 18 Local Plan?:** No

**Detail of representation:**

Policy 6.1(1)(4)(a) requires that environmental and socioeconomic impacts be minimised. However, minerals operations can result in environmental and socioeconomic improvements – these positive impacts of minerals development should not be minimised. The text appears to indicate a predisposition towards a position that minerals operations are always negative to the NPA.

(Also relevant to p123 "minimise the impact". Also see para 6.1.6 and heading of Policy 6.2(2)).

Policy 6.1(1)(4)(b) appears as an attempt to restate s38(6) PCPA 2004, however, it served to confuse rather than assist. Consideration must be given to the development plan as a whole, i.e. an application which does not meet each and every policy, or even which is contrary to some specific policies, may still be 'in accordance with the development plan' as a whole.

**Modifications necessary to make the Local Plan compliant:**

Amend Policy 6.1(1)(4)(a) to insert 'any negative' after 'minimise'. Replace 'and' with 'or'.

Delete Policy 6.1(1)(4)(b).

**Authority response:**

The amendment proposed at Policy 6.1(4)(a) is noted, and DNPA recognises it would be beneficial to clarify this wording. It does not indicate a predisposition, towards a position that minerals operations are always negative, though (as demonstrated through the introductory text), but is a reflection of the fact that this is a policy clause around mitigating potential negative effects of a development.

The wording at Policy 6.1 (1)(4b) does not state that development should be consistent with all policies in the Local Plan, but is an important reference to the fact that this policy should not be considered in isolation, and considered alongside other 'relevant' policies within the Local Plan. In some instances, DNPA believes this to be reasonable, particularly in the context of the minerals elements as this is a complete local plan including minerals and waste policies. It is important to ensure that the applicant is clear any other policies in the plan may be relevant, and not just those within the minerals and waste section.

**Authority proposed action:**

Proposed amendment at Policy 6.1 (1)(4a)





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**Respondent Number:** 0198

**Name:** Christopher Tofts

**Organisation:** Stephens Scown LLP

**On behalf of:** Imerys Minerals Limited

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**Rep. Number:** 1

**Local Plan Section:** 6.1 **Paragraph/policy** Policy 6.1 (1) (1)

**Is the Local Plan sound?:** No

**Is the Local Plan legally compliant?:** No

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:** Yes

**Why?** So as to ensure that the Local Plan's policies (and supporting text) on minerals development is appropriate.

**Did respondent comment on Reg 18 Local Plan?:** No

**Detail of representation:**

The policy and supporting text amendments from the first draft (Reg 18) introduce a new threshold of "large scale", which is inconsistent with the approach taken elsewhere in the plan, the first draft plan, and the NPPF. To the extent the Policy means 'major development' then that term should be used. To the extent the Policy means a lower threshold, that is inconsistent with the NPPF. It is unclear why this has changed from first draft (Reg 18).

The Policy introduces different tests to those found in Policy 1.5(2) and the NPPF and is therefore unsound. (Para 6.1.3 correctly identifies that Strategic Policy 1.5 is relevant). We are not aware of any assessment having been made to support this change.

The supporting text "The environmental impact of minerals operations has improved significantly in recent years" adds nothing to the local plan and indicates a predisposition that minerals operations are bad.

**Modifications necessary to make the Local Plan compliant:**

Policy 6.1(1)(1) should be deleted in its entirety, Policy 1.5(2) is sufficient to address 'major' development. See also Additional Comment 2.

**Authority response:**

The policy is retained, but a modification is proposed to make major development the relevant test for minerals development in the National Park.

**Authority proposed action:**

A modification is proposed to make major development the relevant test for minerals development in the National Park.

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**Respondent Number:** 0091

**Name:** Matthew Cuthbert

**Organisation:** Aggregate Industries UK Limited

**On behalf of:**

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**Rep. Number:** 1

**Local Plan Section:** 6.1 **Paragraph/policy** Strategic Policy 6.1 (1)

**Is the Local Plan sound?:** Yes

**Is the Local Plan legally compliant?:** No

**Is the Local Plan compliant with the duty to co-operate?:** Yes

**Hearing session(s)?:** No, I do not wish to participate in hearing session(s)

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

OBJECTION - Chapter 6 "Minerals, Waste and Energy, Policy 6.1. The wording for this policy has been changed from 'Major' to 'Large Scale'. The term 'Major' is used within the National Planning Policy Framework 2019 (NPPF19) during Paragraphs 172 and 173 (Including Footnote 55) when referring to development in the National Parks and not 'Large Scale'. This wording should be amended so that the Local Plan can be consistent with the NPPF19 as per Paragraph 35 Point (d).

**Modifications necessary to make the Local Plan compliant:**

It is suggested that to be consistent with the NPPF19 the wording should be amended from 'Large Scale' to 'Major'.

**Authority response:**

A modification is proposed to Policy 6.1 (2) which will make the major development test (set out in Strategic Policy 1.5 (2)) the relevant consideration when determining if a renewable energy development is appropriate in the National Park or not.

**Authority proposed action:**

A modification is proposed to Policy 6.1 (2) which will make the major development test (set out in Strategic Policy 1.5 (2)) the relevant consideration when determining if a renewable energy development is appropriate in the National Park or not.

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**Respondent Number:** 0203

**Name:** Christopher Tofts

**Organisation:** Cornish Chamber of Mines and Minerals

**On behalf of:**

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**Rep. Number:** 1

**Local Plan Section:** 6.1 **Paragraph/policy** Policy 6.1(2)

**Is the Local Plan sound?:** No

**Is the Local Plan legally compliant?:** No

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:** Yes

**Why?** So as to ensure that the Local Plan's policies (and supporting text) on minerals development is appropriate.

**Did respondent comment on Reg 18 Local Plan?:** No

**Detail of representation:**

The policy and supporting text amendments from the first draft (Reg 18) introduce a lower threshold of "large scale" to which a version of the NPPF para 172 'major development test' is to be applied. The relevant topic paper explains that this is to avoid confusion with the 'major development test'. However, the lowering of the threshold from 'major' to 'large scale' means that the approach is inconsistent with the NPPF.

The plan appears to have an underlying tone that minerals development is automatically harmful to the NPA. The plan lacks a qualitative assessment approach to the effects of proposed minerals development.

We are not aware of any assessment having been made to support this change. There is no basis for introducing a similar test to para 172 NPPF for development that is not major.

The definition of 'small scale' is unhelpful in resolving the issue highlighted above as it does not consider the effect of the proposed development, only the existing size when compared with other development in

**Modifications necessary to make the Local Plan compliant:**

Policy 6.1(1)(1) should be deleted in its entirety, Policy 1.5(2) is sufficient to address 'major' development. Alternatively a qualitative assessment should be introduced into the policy for minerals development (including the definition of 'small scale').

**Authority response:**

It is noted that large scale is not a familiar term or threshold in the minerals industry. A modification is proposed which makes the major development test the relevant consideration when determining if a renewable energy development is appropriate in the National Park.

Policy 6.1 is otherwise justified and is proposed to remain. Further detail on its justification is available in the Minerals and Waste Topic Paper.

**Authority proposed action:**

A modification is proposed which makes the major development test the relevant consideration when determining if a renewable energy development is appropriate in the National Park



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**Respondent Number:** 0049

**Name:** Mike Deaton

**Organisation:** Devon County Council

**On behalf of:**

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**Rep. Number:** 11

**Local Plan Section:** 6.1

**Paragraph/policy** 6.1.11

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

Paragraph 6.1.11 lists the Minerals Safeguarding Areas, but the Policies Map also shows Minerals Safeguarding Areas in the vicinity of Lee Moor that are not mentioned in the list, and this discrepancy should be addressed.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

An amendment is proposed to 6.1.11 which makes clear the list is a summary of the key safeguarding areas.

**Authority proposed action:**

An amendment is proposed to 6.1.11 which makes clear the list is a summary of the key safeguarding areas.

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**Respondent Number:** 0077

**Name:** Julia Webberly

**Organisation:** South West Aggregates Working Party

**On behalf of:**

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**Rep. Number:** 1

**Local Plan Section:** 6.1 **Paragraph/policy**

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

A link to the Final Draft Consultation on the Local Plan for Dartmoor was circulated to members in September 2019. Comments received reflect those previously submitted and are as follows: 1. It is suggested that the section setting out the typical 'lifecycle of a quarry' should be moved to page 124 as part of the introduction to the chapter as it usefully sets out the different stages of mineral extraction.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

The location of the graphic is considered appropriate in its existing location, rather than interrupting the flow between reasoned justification and the policy.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0005

**Name:** Barry Wilson

**Organisation:** E&JW Glendinning Ltd

**On behalf of:**

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**Rep. Number:** 11

**Local Plan Section:** 6.1

**Paragraph/policy** 6.1.1

**Is the Local Plan sound?:**

No

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

The supporting text does not make any reference to the employment provided by quarrying. This is an important consideration as quarries typically provide jobs for higher qualified staff who are paid above the local average wage.

This is ironic as the contribution to employment is mentioned in relation to equestrian development, which is not necessarily noted as providing jobs which have the same important attributes.

**Modifications necessary to make the Local Plan compliant:**

Add the following to the end of para 6.1.1 'Quarrying has historically made a notable economic contribution through employment and continues to do so now'.

This will make the plan more complete and consistent in its coverage of and approach to the economic role of quarrying.

**Authority response:**

Noted, but the economic contribution of minerals is considered to be clear and it is not considered necessary to mention the contribution to employment made by each type of economic development throughout the plan. Equestrian development has been singled out as the potential contribution of this type of development to the economy, can sometimes be overlooked.

**Authority proposed action:**

None proposed.



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**Respondent Number:** 0131

**Name:** Hazel Jones

**Organisation:**

**On behalf of:**

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**Rep. Number:** 28

**Local Plan Section:** 6.1

**Paragraph/policy** Policy 6.2 (2)

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

p126 Policy 6.2. Excellent. These points should be included in other policies where relevant for sake of consistency.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

It is an established policy principle that the plan should be read as a whole, it is therefore not necessary to caveat each and every potential constraint relating to a development type within the policy. It is considered appropriate here because of the very specific impacts which are known to affect minerals development, this approach is not possible or desirable for other development types.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0166

**Name:** Rikki Elliott

**Organisation:**

**On behalf of:**

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**Rep. Number:** 1

**Local Plan Section:** 6.1 **Paragraph/policy**

**Is the Local Plan sound?:** Yes

**Is the Local Plan legally compliant?:** No

**Is the Local Plan compliant with the duty to co-operate?:** Yes

**Hearing session(s)?:** No, I do not wish to participate in hearing session(s)

**Why?** I do not understand why one should be precluded from hearing sessions and have to justify why one should be, is this not a public right?

NOTE ALSO THAT AFFORDABLE HOUSING SHOULD BE BASED ON 6 TIMES LOCAL AVERAGE INCOME, NOT 80% OF MARKET VALUE. THIS POLICY EXCLUDES YOUNG PEOPLE FROM BUYING IN THEIR VILLAGES

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

I believe that it should be considered that any mining activity is restricted in the size/power (i.e. 20 tonne excavator, 10Tonne Dumper) of the machinery, this would reduce the environmental impact and ensure that more local operatives were used in the mining process.

**Modifications necessary to make the Local Plan compliant:**

I believe that the environmental impact of allowing any size of machine to mine on Dartmoor does not reflect consideration for the environment both ecologically or economically.

**Authority response:**

Policy 6.2 (2) focuses the policy criteria on the impacts machinery and mining operations cause, rather than the equipment itself. There are many different types of mining and minerals extraction which may or may not involve use of excavators and dumpers in the mining process. Focusing the policy on the impacts of operations ensures it continues to guard against potential harmful effects regardless of technology advancements and changes in the minerals industry.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0195

**Name:** Peter Crone

**Organisation:** South Dartmoor Community Energy Limited

**On behalf of:**

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**Rep. Number:** 2

**Local Plan Section:** 6.2

**Paragraph/policy** Policy 6.6 (2)

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** No

**Detail of representation:**

4. Renewable Energy 4.1 There has been much in the news recently about climate emergency declarations. But there has been little or no guidance on the actions required to address the Climate Emergency.

4.2 DNP points to this in its own climate emergency declaration "There is no precise definition of what constitutes action to meet a climate emergency but the purpose is to put climate (and environment) at the centre of policy and practice." 4.3 To paraphrase UN Secretary-General António Guterres in his press briefing before the September 2019 Climate Summit "Beautiful speeches (or words) are not enough." They need to be translated into action. 4.4 The draft local plan uses the term ".....reduce/minimise impact on climate change..." 17 times, but nowhere does it mention any policies or actions that would significantly contribute to reducing climate heating. 4.5 Up to date information on the installed RE within the DNP does not seem to be available. The 2017 State of the Park document has some information on 2015 data<sup>10</sup> where it appears that 9.1MW were in situ by the end of that year. 4.6 This consisted of a little over 6MW of PV, 1MW of biomass and a further 1MW consisting of a combination of hydro, wind and solar thermal in order of their relative contributions. There is another megawatt of air source and ground source heat pumps included. However these are not necessarily renewable and can only be counted if the electricity that powers them comes from an accredited renewable source. 4.7 So 8MW – 9MW of installed RE capacity at the end of 2015 perhaps a little more has been added since then, although this is not very likely as government incentives all but disappeared after the 2015 general election. 4.8 But what is the potential RE capacity of the DNP area? 4.9 The perhaps inconvenient but totally inescapable truth is that it is very large indeed. 4.10 The 72% of DNP that is open heath and moorland is by a huge margin the outstanding unexploited wind energy resource area in southern England. 4.11 It would have a theoretical carrying capacity of approximately 2.5 gigawatts (GW) of wind generators.<sup>11</sup> However siting constraints would probably limit the potential installed capacity to nearer 2GW. 4.12 There are compelling reasons for exploiting the Dartmoor wind energy resource in response to the Climate Emergency. Almost at the top of that list is the fact that virtually no one lives above the 300m altitude contour on the high moors where the wind turbines could be located. 4.13 In England, south of the Pennines, there is no alternative site where so many wind turbines could be installed without any significantly adverse impact on residential properties. 4.14 In terms of wind speeds, the wind resource, due to the mean altitude of the moorland, is again comparable to the very best sites in England south of the Pennines.

4.15 Furthermore the installation of wind turbines would not preclude the reafforestation of the moorland described above. It would take many years, if ever, for the trees to reach sufficient height to have any effect on the output or operations of the latest onshore wind turbines. 4.16 In terms of the socio economic benefits the rent paid to the landowners and commoners could offset any loss of earnings from the reduced grazing caused by the reafforestation of the area. 4.17 In addition 2GW of wind turbines would contribute: • 3,800 jobs across the UK and £243m of gross value added (GVA)<sup>12</sup> • 2,000 jobs across the

southwest and £139m of GVA • 490 jobs in the DNP and environs area and £37m of GVA 4.18 This 2GW of wind power would be more than enough to replace the combined cycle gas fired power station (CCGT) at Langan located less than 4 km outside the park's south west boundary. This will need to happen for Devon to go carbon neutral. 4.19 In practice 2GW of wind power on Dartmoor could generate 6.13TWh/annum<sup>13</sup> of clean, green electricity compared with Langan's 3.76TWh and it would offset the production of almost 3 million tonnes of CO<sub>2</sub> per year from fossil fuelled power stations like Langan. 4.20 The Langan CCGT currently supplies enough electricity each year to supply 1m average UK households. If 2GW of wind power were installed in the DNP it would supply over 1.6m average households. 4.21 The rest of the DNP area, the 28% that is not moorland, would also have potential for smaller scale wind developments and, in addition, considerable potential for medium to large scale PV developments. 4.22 Clearly under the current draft plan none of this is possible. Policy 6.6 (2) states: "3. Large scale renewable energy development will not be approved" 4.23 SDCE fails to see how a policy that sterilises the best renewable energy resource area in the south of England meets the requirement under the DNPA's own Climate Emergency Declaration to ".....put climate (and environment) at the centre of policy and practice." let alone meet the IPCC's requirement for ".....rapid, far-reaching and unprecedented changes in all aspects of society." 4.24 The inescapable conclusion, no matter how inconvenient it may seem, is that the DNPA cannot have been serious when they declared a Climate Emergency as they clearly had no intention of taking any significant action to address it. 5. DNP's contribution to Devon and wider UK targets 5.1 Dartmoor covers an area of 954km<sup>2</sup> within the county of Devon which itself has an area of 6,707km<sup>2</sup>. Dartmoor therefore occupies a little over 14% of the county.

5.2 The population of the entire county of Devon (including Plymouth and Torbay) is 1.16m people. Referring back to the calculations in paragraphs 3.33 and 3.34 above, they will therefore be responsible for 9.28 million tCO<sub>2</sub>e/annum on a production basis or 15.08 million tCO<sub>2</sub>e/annum on a consumption basis. 5.3 At 6t/ha it would take between 1.5 and 2.5 million hectares or 15,000 to 25,000km<sup>2</sup> of reforested land to sequester this amount of CO<sub>2</sub> on an annual basis. This equates to between 225% and 375% of the total landmass of the county. 5.4 So, unlike Dartmoor, Devon cannot become carbon neutral through reforestation alone. It could make a contribution, but clearly other measures will have to make up the lion's share for the county to meet a carbon neutral target. 5.5 Ensuring that new housing achieves passivhaus standard and retrofitting the existing housing stock could reduce the requirement for heat energy within the domestic sector but progress in this area will be slow without radical policy shift and incentivisation. 5.6 Reducing emissions from transport, which is the most carbon intensive sector of the economy, might prove easier to achieve. But extensive switching to battery powered vehicles could double the amount of electricity generation required in the UK compared to today. 5.7 There is further potential to develop medium to large scale PV within the county, although it is currently constrained by a lack of spare capacity on the local WPD electricity distribution network. This is due to the amount of PV that has already been installed or has booked capacity. 5.8 For Devon, as for Dartmoor, wind power is the major RE resource. Of which Exmoor is the outstanding example of hitherto unexploited wind resource for all of the same reasons outlined for Dartmoor in the previous section. 5.9 The area of Exmoor is 692.8km<sup>2</sup>, of which 29% or 201km<sup>2</sup> is in Devon. However from a wind resource viewpoint, this part of the moor is the prime resource area being of generally higher altitude and close to the sea on the windward side of the park. 5.10 Although of somewhat lower altitude the wind power density is likely to be very similar to the DNP moorland. Similarly some 70% of the area could reasonably be developed for wind power. 5.11 Applying the same criteria as above for Dartmoor would suggest a theoretical wind power carrying capacity of a little over 500MW of which perhaps 400MW could be developed after allowing for site constraints. 5.12 Apart from the moors of Dartmoor and Exmoor there are no other extensive areas within the county that are devoid of residential development. Clearly if development restrictions were eased within the national parks then similar measures would apply to the AONBs which would enable further development. 5.13 The prime wind resource areas would be the coastal locations to the west of Exmoor, west of Bideford to the North Cornwall border, including Hartland and, to a lesser extent, parts of the South Hams. 5.14 Other sites, further from the coast and therefore with lower wind speeds could be found on the mid-Devon moors and to the west and north of Dartmoor. But wind development in all of these areas outside the national parks will be constrained by proximity to residential property.

5.15 Nevertheless there is undoubtedly the potential for another 600MW to 900MW of wind power to be installed in these areas outside the national parks. Firming up on a more precise estimate would require detailed assessment of siting constraints over a significant proportion of the county. 5.16 In conclusion Devon, by virtue of its location in the exposed southwest of England, is well endowed with wind energy resource and approximately 60% to 70% of that resource is located on the moorland of Dartmoor. 5.17

What will be required for Devon to go carbon neutral? As shown above it would require between two and four times the landmass of the county devoted entirely to forestry to achieve it by carbon sequestration.

5.18 What would it take for Devon to go zero carbon by deploying wind power alone? 5.19 A simplistic calculation based on the 8 and 13 tonnes per person per year used by the CCC and on the assumption that all new wind power would displace electricity produced gas fired power stations, which in turn produce 487g CO<sub>2</sub>/kWh of electricity generated, 14 would be 20TWh/annum and 31TWh/annum respectively. 5.20 In paragraph 4.19 above we saw that 2,000MW of wind turbines on Dartmoor could produce 6.13TWh/annum. Even if the rest of Devon including Exmoor could produce the same again, which is unlikely, there would still be a very significant shortfall in meeting even the lower 20TWh/annum figure. 5.21 The inescapable conclusion from the above is that, even if all of the potential of Dartmoor and Exmoor to sequester carbon and to produce clean electricity is developed and exploited, and similar efforts are made throughout the county of Devon, as well as making homes and workplaces more energy efficient, it will still be touch and go as to whether Devon can achieve its zero carbon target by relying upon its own in-county resources. Without the exploitation of the Dartmoor or Exmoor wind resources it will be an impossible task. 5.22 We at SDCE hope that this goes some way towards informing the policy vacuum that surrounds appropriate responses to the Climate Emergency, particularly with reference to the “There is no precise definition of what constitutes action to meet a climate emergency....” line in the DNP Climate Emergency Declaration. 5.23 If this is the situation with respect to Devon then how will other counties that are more densely populated and have no significant wind energy resource achieve carbon neutrality? And how will the major cities achieve it? 5.24 Perhaps this is what the IPCC was referring to when they said “Limiting global warming to 1.5°C would require rapid, far-reaching and unprecedented changes in all aspects of society.” and it is certainly the logic underpinning what we said in paragraph 2.5 above “.....everything that can be done to mitigate or adapt to these threats has to be done and has to be done as quickly as possible.” and also in paragraph 2.6

“.....will require a fundamental change of approach to something resembling a war time mobilisation with rapid decision making at all levels of government.”

#### **Modifications necessary to make the Local Plan compliant:**

##### **Authority response:**

Turbine development on Dartmoor's moorlands would likely comprise Major Development, having significant adverse impact on the Special Qualities for which the National Park is designated. There is a strong national policy position against Major development in National Parks. The Local Plan cannot conflict with such strong national policy.

##### **Authority proposed action:**

None proposed.

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**Respondent Number:** 0200

**Name:** Tony Whitehead

**Organisation:**

**On behalf of:**

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**Rep. Number:** 2

**Local Plan Section:** 6.2

**Paragraph/policy** 6.6

**Is the Local Plan sound?:**

No

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** No

**Detail of representation:**

Policy 6.6.3 Large scale renewable energy development will not be approved.

"Dartmoor is not an appropriate location for large scale energy development aimed at power generation to support national and regional energy supply. Wind energy and solar photovoltaic farm development in particular can significantly harm the National Park's Special Qualities." (DNP LP 6.3.2 p129)

The argument relies heavily upon DNPA's desire to avoid affecting the park's areas of tranquillity or having any visual/sound/environmental/ecological impact. However, I believe that given the climate emergency this is no longer an acceptable position.

Household energy consumption will be one of the main causes of CO2 emissions in the park area. Five of the eight towns and most of the villages are on the outskirts of the park in areas that are largely indistinguishable from any other parts of rural Devon.

These settlements and their environs should certainly not be limited in their capacity to develop their own larger scale renewable energy projects, as they are not areas of high conservation concern or special tranquillity and do not reflect the park's special qualities and landscape

**Modifications necessary to make the Local Plan compliant:**

Reword Policy 6.3.3 to read: Large scale renewable energy development will be supported approved within the park boundaries where it does not significantly effect the unique character and natural heritage of the park.

Settlements on the outskirts of the park should be supported to develop larger scale renewable energy capacity so that they may become more sustainable and resilient. As with any large-scale renewable energy system placement there will of course still need to be stringent rules to make sure that there is no potential for ecological harm or local disturbance, but there should definitely be the possibility of setting up such schemes at the very least around the edges of the park.

A very effective way for towns and villages to take personal responsibility, become more resilient and energy secure, is through the creation of local community energy schemes that are run as cooperative ventures by and for the local people.

Community energy schemes can help to create money to support other community projects, reduce energy bills, reduce the community's carbon footprint, & keep local money in the local area. This approach is certainly supported & encouraged by the Government as it attempts to mitigate climate change (the NPPF states that local planning authorities "should support community-led initiatives for renewable and low carbon energy"), but if DNPA adopts the no large scale renewable energy projects policy for the whole of the DNP area it could potentially stifle people's capacity to adopt effective proactive methods that could actually have a positive mitigating impact.

As many of the local town councils within & around the DNP have made Climate Emergency Declarations and now have community groups who are attempting to find effective ways to reduce their impact on the climate, these initiatives should be whole heartedly supported by the DNPA.

Friends of the Earth recommends the following local plan draft policy on community owned renewable



energy:

“The social and economic benefits of community owned renewable energy generation proposals which demonstrate ownership by and led by local communities will be actively encouraged and supported. Communities will be encouraged to consider sites for appropriate renewable energy installations. Where communities wish to bring such schemes forward utilising a community ownership model, the authority will support and facilitate this as appropriate through the planning process. Given the need for widespread deployment and the benefits of community owned schemes in delivering local decentralised energy supplies therefore contributing to the sustainable development of their locality - there will be a presumption in favour of supporting such development within the authority area.”

**Authority response:**

Following the Written Ministerial Statement on wind energy development DNA did not seek to identify areas where wind development would be acceptable because of the fundamental conflict this development type has with the landscape character and tranquillity of the National Park which DNPA is required to protect in accordance with its statutory purposes.

However, it is noted that the approach currently in policy could unnecessarily obstruct all large scale proposals even if they do not impact on the National Park's Special Qualities. A modification is proposed which will make the major development test (set out in Strategic Policy 1.5 (2))the relevant consideration when determining if a renewable energy development is appropriate in the National Park. This will mean renewable energy proposals will be tested against the extent to which they have the potential to have significant adverse impact on National Park Special Qualities, rather than their scale.

**Authority proposed action:**

A modification is proposed to Policy 6.6 (2) which will make the major development test (set out in Strategic Policy 1.5 (2))the relevant consideration when determining if a renewable energy development is appropriate in the National Park or not.

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**Respondent Number:** 0165

**Name:** Stephen Sterling

**Organisation:** Ashburton Climate Emergency (ACE)

**On behalf of:**

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**Rep. Number:** 3

**Local Plan Section:** 6.3

**Paragraph/policy** Policy 6.6 (2)

**Is the Local Plan sound?:** No

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**No

**Hearing session(s)?:** No, I do not wish to participate in hearing session(s)

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** No

**Detail of representation:**

Again we believe that the Local Plan is not consistent with the National Planning Policy Framework for the same reasons as stated in our part C comments about large scale renewable energy schemes.

Firstly, from the perspective of the goal of achieving Sustainable Development (“meeting the needs of the present without compromising the ability of future generations to meet their own needs”) the NPPF states that the planning system has 3 overarching objectives – economic social & environmental, which need to be pursued in mutually supportive ways.

The economic objective requires “identifying & coordinating the provision of infrastructure.”  
The social objective requires the provision of “accessible services”.

We feel that positively encouraging small scale renewable energy sources is part of the duty of providing a reliable & secure infrastructure & accessible service, because:

- We are now at a time when we need to adapt to the impacts of climate change which is likely to require that communities become energy secure & resilient by having their own energy supply.
- The present energy system is in the beginning stages of its transformation into a much more locally based renewable energy creation & usage system.
- The Government is currently consulting on a future ban on oil heating (the main heating fuel for a very high % of Dartmoor residents, who will need to be supported in their transition to an alternative energy source).

The environmental objective requires “mitigating & adapting to climate change, including moving to a low carbon economy.” This is a very clear directive within the NPPF19.  
(NPPF paragraphs 7 & 8)

The DNP's present Local Plan is also not consistent with the National Planning Policy Framework in regards to section 14 about “Meeting the challenge of climate change, flooding & coastal change”.

NPPF paragraph 148 it states “The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk & coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability & improve resilience... & support renewable & low carbon energy & associated infrastructure”.

Paragraph 149 states “Plans should take a proactive approach to mitigating & adapting to climate change... policies should support appropriate measures to ensure the future resilience of communities & infrastructure to climate change impacts”.



Paragraph 151 states: “To help increase the use and supply of renewable and low carbon energy and heat, plans should:...

c) identify opportunities for development to draw its energy supply from decentralised, renewable or low carbon energy supply systems and for collocating potential heat customers and suppliers.”

The Local Plan is also not compliant with the duty to co-operate in this regard, as it is not actively & effectively fulfilling its obligations to support the Devon County Councils Climate Emergency policy which states they will need to “deploy more renewable, decentralised & smart energy systems”

As noted in section C, we carried out a survey on the high street in Ashburton & online to assess our community’s needs & concerns around energy. We had 92 responders & gained the following insights:

- 47% were interested in installing solar PVs on their homes (+30% were unable to do so due to living in a listed building, a council home or being renters; =8% already had solar PVs).
- 68% would like help to reduce their energy costs.
- 83% were concerned about energy costs.
- 97% were concerned about climate change.
- 41% stated that they lived in listed buildings (these figures are only available for the 46 people who responded to the online survey as the question was not on the paper survey).

There is clearly a need & desire for small scale renewable energy in Ashburton.

#### **Modifications necessary to make the Local Plan compliant:**

In addition to being much more supportive of small- scale renewable energy, the plan needs clearer definitions about what size & capacity of small scale renewable energy is acceptable, so that this does not need to be negotiated & assessed with every planning application.

The Plan is unclear what limits are to be placed on renewable energy eg solar PVs on roofs, in regard to their impact on landscape character or being on listed buildings. We feel that in this current state of emergency & urgency, that any such restrictions should be significantly relaxed so that the communities & residents on Dartmoor are able to take responsibility for becoming more resilient, energy secure & to reduce their contribution to greenhouse gas emissions.

(As stated in the NPPF para 149 “Plans should take a proactive approach to mitigating & adapting to climate change... policies should support appropriate measures to ensure the future resilience of communities & infrastructure to climate change impacts”.)

It will also be necessary for the Plan to address what applicants can do when they do not have suitable roofs for attaching solar PVs, eg if the roof is thatched or facing an inappropriate direction/angle for collecting the sun’s rays. In such circumstances it would be very helpful to be able to erect solar PVs on a ground base if requested.

Again, It would be helpful if there was mention of other sustainable small scale renewable energy options in the plan that could be explored such as ground source heat pumps or air heat pumps, micro hydro-electric, small scale anaerobic digestion, district heating schemes, etc.

#### **Authority response:**

A modification is proposed to make major development the relevant test for determining renewable energy applications.

Any restrictions on renewable energy development beyond policy 6.6 (2), such as biodiversity, landscape character, amenity, dark night skies and others, are assessed on a case by case basis in accordance with the relevant policy and any supporting evidence, such as the landscape character assessment.

The suggestion for further guidance and direction are a matter for design and supplementary guidance and would not be appropriate in the Local Plan. They however noted and will be explored in work due to commence following Local Plan adoption.

#### **Authority proposed action:**

None proposed.



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**Respondent Number:** 0183

**Name:** Jodie Crook-Giles

**Organisation:** Regen

**On behalf of:**

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**Rep. Number:** 1

**Local Plan Section:** 6.3

**Paragraph/policy** Policy 6.6 (2)

**Is the Local Plan sound?:** No

**Is the Local Plan legally compliant?:** No

**Is the Local Plan compliant with the duty to co-operate?:**No

**Hearing session(s)?:** Yes, I wish to participate in hearing session(s)

**Why?** Because the policy directly contradicts the NPPF and the governments Zero carbon by 2050 target and legally binding emissions reduction targets.

**Did respondent comment on Reg 18 Local Plan?:** No

**Detail of representation:**

We have legally binding national carbon reduction targets and are in a state of climate emergency, in England we have a target to be net zero by 2050. Policy 6.6(2) directly contradicts this national target which would prevent any large-scale renewable energy generation on Dartmoor. Further to this we have some of the best wind energy resource and sites in the country, and banning large scale renewable energy is not an effective use of land.

The NPPF has a presumption in favour of sustainable development (paragraph 11), so that sustainable development is pursued in a positive way and:

"c) an environmental objective "to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy."

This cannot be achieved by banning large scale renewable energy which will be necessary to mitigate the damaging effects of climate change on current and future generations, and on biodiversity. According to the IPCC report we have 10 years to act and make a difference to prevent some of the most catastrophic impacts of climate change, we will not be able to do this on Dartmoor and play our part in the opportunities a low carbon economy presents if we ban large scale renewable energy generation. Onshore wind and solar are the cheapest forms of energy generation we have according to the UK government , and are the technologies most able to support us to achieve net zero by 2050, but they have been singled out in policy 6.6(c) as unacceptable for Dartmoor.

**Modifications necessary to make the Local Plan compliant:**

Instead of banning large renewable energy projects I believe we should be taking a proactive approach, designating sites for wind and solar energy generation, particularly on the fringes of Dartmoor where community energy organisations like South Dartmoor Community Energy, and South Brent Community Energy have already set up thriving groups of local people who want to play their part in a fair low carbon future. New renewable energy developments should have strict conditions to enable community ownership so that the economic value of such developments is retained locally. I understand that by introducing this ban that DNPA is trying to protect the "unspoilt qualities" of Dartmoor, but climate change is a far bigger threat to those qualities, than large scale renewable energy (which may only be in place for 20 years).

I love living on Dartmoor and care deeply about the special qualities it has, but I also care about the survival of the human race, and am shocked and disappointed to see DNPA setting such a backward and environmentally damaging policy in the Local Plan. Wouldn't it be great if DNPA saw large scale

renewables as an opportunity for communities to survive and thrive in this beautiful area.

**Authority response:**

Renewable energy development which conserves the National Park's Special Qualities is supported through the policies of the Local Plan. Many small-scale domestic renewable energy installation benefit from permitted development rights.

A modification is proposed which makes the major development test the relevant consideration when determining if a renewable energy development is appropriate in the National Park.

**Authority proposed action:**

A modification is proposed which makes the major development test the relevant consideration when determining if a renewable energy development is appropriate in the National Park.

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**Respondent Number:** 0214

**Name:** Jeremy Thres

**Organisation:**

**On behalf of:**

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**Rep. Number:** 5

**Local Plan Section:** 6.3

**Paragraph/policy** 6.3.5

**Is the Local Plan sound?:** No

**Is the Local Plan legally compliant?:** ?

**Is the Local Plan compliant with the duty to co-operate?:**No

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** No

**Detail of representation:**

[LATE COMMENT]

ENPAA's Climate change mitigation and adaption in national parks report acknowledges "on average the emissions from domestic energy use for people living within national parks are currently 60% higher than average for England."

So clearly there is work to be done.... Evidently the authorities "will take the lead in facilitating energy supply helping to deliver solutions that do not compromise landscape, heritage and biodiversity. We have suggested a number of demonstration projects including biomass (linking woodland management and wood fuel supply), micro hydro (generating electricity without affecting river ecology) and small scale wind and solar."

ENPAA say that "The vision is to move from "isolated demonstration projects to a situation where renewable energy is the norm in remote rural areas." Are DNP on board with this wider vision of the Parks? Dartmoor has plenty of wind and some Sun. It is acknowledged that large scale wind or solar farms are unlikely to be suitable within the parks, however that is quite different to a farm, hamlet or isolated settlement benefitting from small scale yet ADEQUATE renewable provision and the omission of wind and solar adversely precludes against them in an area of plenty both:  
They need to be added to the wording of 6.3.5

6.3.5 Small scale renewable energy development which meets the 33 English National Parks and the Broads UK Government Vision and Circular (Defra, 2010) 34 Energy Efficiency and Historic Buildings: How to improve Energy Efficiency (Historic England, 2018) energy demands of a single property, business or local community can be achieved on Dartmoor without impacting on the National Park's Special Qualities. New and emerging technologies mean that efficient and viable generation can come about from smaller and lower impact installations. In particular Dartmoor has a high potential for wind, solar and micro-hydro generation, in locations where biodiversity impacts can be avoided. A range of domestic scale renewable energy facilities can be installed without the need for planning permission, and ground source and air source heat can be a relatively low impact source of renewable energy where a building is already at its most energy efficient. In some instances this can be achieved on a larger community scale to provide renewable energy. Many commercial or agricultural buildings may also be able to incorporate renewable energy development without impacting upon the National Park's Special Qualities. Often this does not need planning permission.

As does the word adequate In relation to

Policy 6.6 (2) Renewable energy development 1. Small scale 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; b) biodiversity, geodiversity, and heritage significance; c) tranquillity, dark night skies and residential amenity, taking into consideration noise, lighting, movement, odour and vibration; and d) air, soil and water quality. 2. Small

adequately scaled renewable energy development should not impact on flood risk or soil stability. Utility connections, such as cables and pipes, should be placed underground. 3. Large scale renewable energy development will not be approved.

Other than the unpleasant sound and smell of diesel generators in isolated properties remaining fossil fuel dependent used to appear invisible, but now we are actively and visibly experiencing the affects of this dependence, and this addiction as said earlier is already affecting DNP's special qualities and biodiversity. Adequately scaled wind and solar could play a significant part in mitigating effect, and with their healthy associations be positively perceived within the park. We all need to play our part and DNP with its abundance of wind is no exception. The EPNAA's Climate report also says: "Addressing climate change requires a shift in attitudes and behaviours across society and that National Parks will be part of this transition."

Nb I feel moved at the awareness that hydro can affect river ecology – in the nineties two of the fish kill sites in Devon were hydro plants.

**Modifications necessary to make the Local Plan compliant:**

Not consulting in the light of new information, nor leading the way.

**Authority response:**

Noted, a modification is proposed which makes the major development test the relevant consideration when determining if a renewable energy development is appropriate in the National Park or not.

**Authority proposed action:**

Modification proposed.

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**Respondent Number:** 0169

**Name:** Katie Reville

**Organisation:**

**On behalf of:**

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**Rep. Number:** 1

**Local Plan Section:** 6.3 **Paragraph/policy** Policy 6.6(2)

**Is the Local Plan sound?:** No

**Is the Local Plan legally compliant?:** No

**Is the Local Plan compliant with the duty to co-operate?:** Yes

**Hearing session(s)?:** No, I do not wish to participate in hearing session(s)

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** No

**Detail of representation:**

Due to our increasing concern for the climate on this planet and the resulting declarations of a climate emergency by our Government and even DNPA we clearly need to do all that we can to reduce our carbon emissions and to meet our energy needs from renewable resources. Dartmoor National Park needs to play its part in helping Devon to reduce its carbon footprint, due to it's excellent wind resource and potential to secure carbon through woodland.

Climate change will have far more damaging and long lasting affects on the special character and biodiversity of Dartmoor than renewable energy developments (which are temporary) and therefore I do not think that Policy 6.6 (2) which basically bans all renewable energy developments within the park, is sound. It goes against the principles of sustainable development and undermines the ability of future generations to meet their own needs. Perhaps the time of protecting views (of what is essentially a manmade environment) at all costs is over and we need to think differently about the Dartmoor landscape and the priorities of the park.

I would love to know how you justify the sentence in 6.3.2 "Dartmoor is not an appropriate location for large scale energy development aimed at power generation to support national and regional energy supply. Wind energy and solar photovoltaic farm development in particular can significantly harm the National Park's Special Qualities".

Why shouldn't Dartmoor contribute to regional and national goals to generate more energy from renewable sources? The most recent BEIS Public Attitudes Tracker on energy issues in Dec 2018 found that 78% of the public are in favour of renewable energy developments, so it is not correct to assume that people are against solar arrays or wind turbines, especially if they are community owned, with benefits going into the local community!

It's also wrong of the plan to try and essentially sterilise land surrounding Dartmoor by banning large developments on the boundary. It is not fair on the communities surrounding the national park to be restricted on what they can build, because it may impact on views out of and into the park.

**Modifications necessary to make the Local Plan compliant:**

Paragraph 6.3.2 should be amended to acknowledge the important and necessary contribution that Dartmoor can make to helping the UK achieve zero carbon through the production of renewable energy, including wind power.

Rather than outright banning large scale renewable energy development Policy 6.6 (2) 3 should be amended to say that renewable energy developments will be permitted within the park, if the development is to be community owned, with all financial benefits remaining within the local communities.

**Authority response:**

It is noted that the approach currently in policy could unnecessarily obstruct all large scale proposals even if they do not impact on the National Park's Special Qualities. A modification is proposed which will make the major development test (set out in Strategic Policy 1.5 (2)) the relevant consideration when determining if a renewable energy development is appropriate in the National Park. This will mean renewable energy proposals will be tested against the extent to which they have the potential to have significant adverse impact on National Park Special Qualities, rather than their scale. It is not possible to control the ownership of infrastructure assets through the planning system.

**Authority proposed action:**

A modification is proposed to Policy 6.6 (2) which will make the major development test (set out in Strategic Policy 1.5 (2)) the relevant consideration when determining if a renewable energy development is appropriate in the National Park or not.



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**Respondent Number:** 0168

**Name:** Jinni King

**Organisation:** Self Employed/Freelance advisor working with South Dartmoor C

**On behalf of:**

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**Rep. Number:** 1

**Local Plan Section:** 6.3

**Paragraph/policy** Policy 6.6 (2)

**Is the Local Plan sound?:** Yes

**Is the Local Plan legally compliant?:** No

**Is the Local Plan compliant with the duty to co-operate?:** Yes

**Hearing session(s)?:** Yes, I wish to participate in hearing session(s)

**Why?** As a resident of Dartmoor, a frequent visitor/hiker in the park and also a Director of a Dartmoor based Community Energy group, I feel very invested in this issue.

**Did respondent comment on Reg 18 Local Plan?:** No

**Detail of representation:**

The Soundness requirement states that the plan must be "Positively prepared" providing a strategy which, as a minimum seeks to meet the area's objectively assessed needs, and is informed by agreements with other authorities, so that unmet need from neighbouring authorities is accommodated where it is practical to do so and is consistent with achieving sustainable development.

It is my assessment that Policy 6.6(2) preventing large-scale renewable development within the park is inconsistent with achieving sustainable development.

We have legally binding national carbon reduction targets and are in a state of climate emergency, in England we have a target to be net zero by 2050. In addition, DNP has, itself declared a Climate Emergency and is a signatory to the Devon Climate Emergency.

Policy 6.6(2) directly contradicts this national target.

The NPPF has a presumption in favour of sustainable development (paragraph 11), so that sustainable development is pursued in a positive way and:

"c) an environmental objective "to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy."

This cannot be achieved by banning large scale renewable energy which will be necessary to mitigate the damaging effects of climate change on current and future generations, and on biodiversity.

Further to this we have some of the best wind energy resource and sites in the country, therefore banning large scale renewable energy is not a prudent use of land.

According to the IPCC report we have 10 years to act and make a difference to prevent some of the most catastrophic impacts of climate change, we will not be able to do this on Dartmoor, and wider in Devon, if we ban large scale renewable energy generation.

Onshore wind and solar are the cheapest forms of energy generation we have according to the UK government, and are the technologies most able to support us to achieve net zero by 2050, but they have

been singled out in policy 6.6(c) as unacceptable for Dartmoor.

Dartmoor is in a fairly unique position locally, in still being at a stage where the local plan could be modified to reflect the Climate Emergency. Most local plans were finalised prior to the recent paradigm shift in understanding of the scale of changes needed. Dartmoor has time to reflect this in the plan, and also contains some of the best opportunities to contribute to Devon's Climate change effort. It saddens me that this opportunity is being missed.

**Modifications necessary to make the Local Plan compliant:**

It seems to me that allowing wind turbines to be placed on the high hills, where the wind resource is greatest, could complement and enhance the position of the Park as a beacon of Nature. For without significant renewable generation, we risk losing the very species on behalf of whom the views are currently being protected, us.

Were another service, a sewage treatment plant for example, to be needed; policy would not prohibit the development. Rather, policy would guide on how to best meet the needs of society whilst minimising negative consequences.

I believe we are beyond the point where we can choose to see large scale renewables as anything other than a vital service. If we are to survive and turn the Climate Emergency around we need to accept the need of the service, and work out how it can best be delivered.

A change to policy 6.6(2) to permit large scale renewable generation in, and close to, the park would better meet the criteria of sustainability, as it would put us further on the path to mitigating Climate Change and the associated risks to landscapes and people. Without the change, reaching net-zero in Devon is a near impossibility, as supported by the research presented in the response from SDCE.

**Authority response:**

Renewable energy development which conserves the National Park's Special Qualities is supported through the policies of the Local Plan. Many small-scale domestic renewable energy installation benefit from permitted development rights. However, there is likely to be a fundamental tension between National Park's reasons for designation and construction of wind turbines on the high moors.

A modification is proposed which makes the major development test the relevant consideration when determining if a renewable energy development is appropriate in the National Park.

**Authority proposed action:**

A modification is proposed which makes the major development test the relevant consideration when determining if a renewable energy development is appropriate in the National Park.

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**Respondent Number:** 0196

**Name:** Sophie Phillips

**Organisation:**

**On behalf of:**

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**Rep. Number:** 1

**Local Plan Section:** 6.3

**Paragraph/policy** Policy 6.6(2)

**Is the Local Plan sound?:** No

**Is the Local Plan legally compliant?:** No

**Is the Local Plan compliant with the duty to co-operate?:**No

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** No

**Detail of representation:**

I believe the Local Plan is not legally compliant because in policy 6.6(2) it directly contradicts the legally binding national carbon reduction targets because it prevents large-scale renewable generation on the moor.

I believe the Local Plan is not sound because it is not an appropriate strategy to meet the needs of Dartmoor, nor does it accommodate the needs of neighbouring authorities such as Devon County Council, South Hams District Council or Teignbridge District Council to contribute towards their carbon reduction targets. It is definitely not consistent with achieving sustainable development, it only aims to preserve the status quo, the 'special qualities' being the far reaching views and the wild barren landscape – which is not actually the natural landscape of Dartmoor, as it is created by burning gorse to prevent growth. I believe that the Plan contradicts DNP's own Climate and Ecological Emergency Declaration and prevents DNP from achieving its own aim to become carbon neutral by 2025. The NPPF has a presumption in favour of sustainable development (paragraph 11), so that sustainable development is pursued in a positive way and:

"c) an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy."

This cannot be achieved by banning large scale renewable energy which will be necessary to mitigate the damaging effects of climate change on current and future generations, and on biodiversity. Banning large scale wind is not an effective use of land.

According to the IPCC report we have 10 years to act and make a difference to prevent some of the most catastrophic impacts of climate change, we will not be able to do this on Dartmoor and play our part in the opportunities a low carbon economy presents if we ban large scale renewable energy generation.

Onshore wind and solar are the cheapest forms of energy generation we have according to the UK government[1], and are the technologies most able to support us to achieve net zero by 2050, but they have been singled out in policy 6.6(c) as unacceptable for Dartmoor.

And I believe the Local Plan is not Compliant with the Duty to Co-operate, because how could it possibly be when Dartmoor has some of the best wind resource in the country and neighbouring authorities will also need to plan strategically how they will achieve net-zero carbon, which means generating more renewable energy. Wind is only part of the solution, but in the South West we must make use of it.

**Personal comments:**

I am a regular trail runner and one of my favourite things about Dartmoor is the barren landscape, the wildness and the far reaching views. I love the tumbling streams that become raging torrents in heavy rain and the mossy ancient woodlands, I love the freedom to roam almost anywhere I want, but these things can all be preserved without banning large scale renewable development. In the current climate

emergency I believe my personal preferences for the things I enjoy in my leisure time are not as important as preventing irreversible and devastating climate change as described by the IPCC Special Report on Global Warming of 1.5°C.

I am very sad to see that DNPA have not prepared this plan in light of the Climate Emergency.

**Modifications necessary to make the Local Plan compliant:**

I believe we should be taking a proactive approach, designating sites for wind and solar energy generation, particularly on the fringes of Dartmoor where community energy organisations like South Dartmoor Community Energy, and South Brent Community Energy Society have already set up thriving groups of local people who want to play their part in a fair low carbon future. New renewable energy developments should have strict conditions to enable community ownership so that the economic value of such developments is retained locally. I understand that by introducing this ban that DNP is trying to protect the 'unspoilt qualities' of Dartmoor, but climate change is a far bigger threat to those qualities, than large scale renewable energy (which may only be in place for 20 years).

DNP is in a unique position to be able to write its Local Plan to address the Climate and Ecological Emergency, whereas many other Local Plans were finalised before the IPCC Special Report was published in 2018.

This is a very difficult time for the whole of society, and I understand how scary it must feel as decision makers to need to consider totally rethinking the Parks purpose and priorities, but we cannot continue with business as usual, we must make radical changes to our lifestyles and our priorities. I believe DNP need to rewrite the plan through the Climate Emergency lens. Of course there will be many people who are unhappy with the prospect of wind turbines on Dartmoor, but that is only because they don't truly understand the scale of the crisis and the scale of the measures we must take to mitigate this. DNP could work with the local community energy groups to educate the general public. Although there is a very vocal anti wind lobby, more than 70% of the public are actually in favour of on-shore wind. And there is a huge quiet majority who will support action that DNP takes to tackle the climate emergency.

**Authority response:**

Following the Written Ministerial Statement on wind energy development DPA did not seek to identify areas where wind development would be acceptable because of the fundamental conflict this development type has with the landscape character and tranquillity of the National Park which DNPA is required to protect in accordance with its statutory purposes.

However, it is noted that the approach currently in policy could unnecessarily obstruct all large scale proposals even if they do not impact on the National Park's Special Qualities. A modification is proposed which will make the major development test (set out in Strategic Policy 1.5 (2)) the relevant consideration when determining if a renewable energy development is appropriate in the National Park. This will mean renewable energy proposals will be tested against the extent to which they have the potential to have significant adverse impact on National Park Special Qualities, rather than their scale.

**Authority proposed action:**

A modification is proposed to Policy 6.6 (2) which will make the major development test (set out in Strategic Policy 1.5 (2)) the relevant consideration when determining if a renewable energy development is appropriate in the National Park or not.

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**Respondent Number:** 0165

**Name:** Stephen Sterling

**Organisation:** Ashburton Climate Emergency (ACE)

**On behalf of:**

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**Rep. Number:** 2

**Local Plan Section:** 6.3

**Paragraph/policy** Policy 6.6 (2)

**Is the Local Plan sound?:** No

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**No

**Hearing session(s)?:** No, I do not wish to participate in hearing session(s)

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** No

**Detail of representation:**

We believe that the present plan is not consistent with the National Planning Policy Framework on several counts.

The Local Plan currently says that it will not allow any large scale renewable energy development. "Dartmoor is not an appropriate location for large scale energy development aimed at power generation to support national and regional energy supply. Wind energy and solar photovoltaic farm development in particular can significantly harm the National Park's Special Qualities." (DNP LP p129)

The argument relies heavily upon DNP's desire to avoid affecting the park's areas of tranquillity or having any visual/sound/environmental/ecological impact.

Firstly, from the perspective of the goal of achieving Sustainable Development ("meeting the needs of the present without compromising the ability of future generations to meet their own needs") the NPPF states that the planning system has 3 overarching objectives – economic social & environmental, which need to be pursued in mutually supportive ways.

The economic objective requires "identifying & coordinating the provision of infrastructure."

The social objective requires the provision of "accessible services".

We feel that allowing the development of locally based, community owned, larger scale renewable energy sources is part of the duty of providing a reliable & secure infrastructure & accessible service, because:

- We are now at a time when we need to adapt urgently to the impacts of climate change which is likely to require that communities become energy secure & resilient by moving towards having their own energy supply.
- The present energy system is in the beginning stages of its transformation into a much more locally based renewable energy creation & usage system.

The environmental objective requires "mitigating & adapting to climate change, including moving to a low carbon economy." This is a very clear directive within the NPPF19. (NPPF paragraphs 7 & 8)

The DNPs present Local Plan is also not consistent with the National Planning Policy Formula in regards to section 14 about "Meeting the challenge of climate change, flooding & coastal change". The NPPF is quoted below in support of this claim.

NPPF paragraph 148 it states "The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk & coastal change. It should help to: shape places in

ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability & improve resilience... & support renewable & low carbon energy & associated infrastructure”.

Paragraph 149 states “Plans should take a proactive approach to mitigating & adapting to climate change... policies should support appropriate measures to ensure the future resilience of communities & infrastructure to climate change impacts”.

Paragraph 151 states: “To help increase the use and supply of renewable and low carbon energy and heat,

plans should:

- a) provide a positive strategy for energy from these sources, that maximises the potential for suitable development, while ensuring that adverse impacts are addressed satisfactorily (including cumulative landscape and visual impacts);
- b) consider identifying suitable areas for renewable and low carbon energy sources, and supporting infrastructure, where this would help secure their development; and
- c) identify opportunities for development to draw its energy supply from decentralised, renewable or low carbon energy supply systems and for collocating potential heat customers and suppliers.”

Paragraph 152 states: “Local Planning authorities should support community-led initiatives for renewable and low carbon energy, including developments outside areas identified in Local Plans or other strategic policies that are being taken forward through neighbourhood planning.”

Banning large scale renewable energy schemes contradicts the Government’s commitments to increase renewable energy resilience, and Devon County Council’s climate emergency declaration to which the DNP is a signatory, and as such is non-compliant with its Duty to co-operate, that states they all need to “deploy more renewable, decentralised & smart energy systems”. A ban on large scale renewable energy is also inconsistent with fact that the DNP itself has also declared a climate emergency & is aiming to create a carbon neutral park within the next 5 years.

Local Plans should also contain an Implementation chapter detailing how they’re going to actually implement the policies within the Plan. As such the implementation plan isn’t sufficient as it does not detail how the DNP are going to achieve net zero by 2025.

We do not feel that declaring that large scale renewables aren’t viable across the whole of the DNP can be deemed to be appropriate or proportionate - & therefore cannot be justified from a soundness perspective on this count either.

We are presently in a state of climate & ecological emergency. The IPCC states “Limiting global warming to 1.5°C would require rapid, far-reaching and unprecedented changes in all aspects of society.” As such we all need to be making unprecedented changes to the way that we do things if we are to effectively reduce the impending impact of climate change to the world & our local communities. This has to include the DNP with its policies and aspirations.

To face the challenge of Climate Change & reduce our CO2 emissions the UK Government has set a target of delivering 15% of its UK energy consumption from renewable resources by 2020. (In 2016 the UK had only achieved 9%.) Local Plans should reflect clear targets on renewable energy generation based on this target.

Household energy consumption & wasted energy will be one of the main causes of CO2 emissions in the park area. There are 8 towns, 34 villages & hamlets, & of course many farms within the DNP boundaries. There is a population of about 33,000. The level of gas fuel connection is very low across much of Dartmoor & the rates of fuel poverty are almost twice the national level in many areas. Many people have to heat their homes with oil which is both expensive & an unclean fossil fuel. The Government is currently consulting on a future ban on oil heating which will impact a great many Dartmoor residents, so it would be wise to make renewable energy contingency plans as flexible & supportive as possible.

Five of the eight towns & most of the villages are actually on the outskirts of the park in areas that would seem totally indistinguishable from any other parts of rural Devon. A key point is these settlements & their environs should certainly not be limited in their capacity to develop their own larger scale renewable energy projects, as they are not areas of special tranquillity & do not reflect the park’s special qualities & landscape (this is the present argument for not allowing any such schemes). Rather, these settlements



should be supported to develop larger scale renewable energy capacity so that they may become more secure, sustainable & resilient.

#### Local Evidence

In Ashburton we carried out a survey on the high street & online to assess our community's needs & concerns around energy. We have had 92 responders to date and gained the following insights:

- 97% were concerned about climate change.
- 83% were concerned about energy costs.
- 88% were interested in community energy
- 47% were interested in installing solar PVs on their homes (+30% were unable to do so due to living in a listed building, a council home or being renters; =8% already had solar PVs).
- 68% would like help to reduce their energy costs.

As with any large scale renewable energy system placement elsewhere in the country, there will still need to be stringent rules to make sure that there is no potential for ecological harm or local disturbance but there should definitely be the possibility of setting up such schemes at the very least around the edges of the park & near to the communities that reside there. If everybody is not encouraged to do all that they can at this point, there won't be a hope of protecting the ecology & biodiversity of the park in the near future as the climate changes.

A very useful & effective way for towns & villages to take personal responsibility, become more resilient & energy secure, is through the creation of local community energy schemes that are run as co-operative ventures by & for the local people. Community energy schemes can help to create money to support other community projects, reduce energy bills, reduce the community's carbon footprint, & keep local money in the local area. This approach is certainly supported & encouraged by the Government as it attempts to mitigate climate change (the NPPF states that Local Planning authorities "should support community-led initiatives for renewable and low carbon energy"), but if the DNP adopts the no large scale renewable energy projects policy for the whole of the DNP area it could potentially stifle people's capacity to adopt effective proactive methods that could have a positive mitigating impact. As many of the local councils within & around the DNP have made Climate Emergency Declarations & now have community groups who are attempting to find effective ways to reduce their impact on the climate & biosphere, these initiatives should be wholeheartedly supported by the DNP.

#### **Modifications necessary to make the Local Plan compliant:**

We recommend the following Local Plan draft policy on community-owned renewable energy:

The social and economic benefits of community owned renewable energy generation proposals which demonstrate ownership by and led by local communities will be actively encouraged and supported. Communities will be encouraged to consider sites for appropriate renewable energy installations. Where communities wish to bring such schemes forward utilising a community ownership model, the authority will support and facilitate this as appropriate through the planning process.

Given the need for widespread deployment and the benefits of community owned schemes in delivering local decentralised energy supplies therefore contributing to the sustainable development of their locality, there will be a presumption in favour of supporting such development within the authority area.

This core strategy policy would need to be supported by areas of search / appropriate site allocation policies within the proposals map part of the Local Plan.

The Local Plan needs to clarify what the exact difference in size is between small scale, medium and large scale renewable energy projects.

It would also be helpful if there was mention of the range of other sustainable energy options in the Local Plan that could be explored, such as ground source heat pumps or air heat pumps, hydro-electric, anaerobic digestion, green power houses & district heating schemes.

#### **Authority response:**

It is noted that the approach currently in policy could unnecessarily obstruct all large scale proposals even if they do not impact on the National Park's Special Qualities. A modification is proposed which will make the major development test (set out in Strategic Policy 1.5 (2)) the relevant consideration when determining if a renewable energy development is appropriate in the National Park. This will mean

renewable energy proposals will be tested against the extent to which they have the potential to have significant adverse impact on National Park Special Qualities, rather than their scale. It is not possible for the planning system to control or put any restriction upon the ownership of infrastructure assets.

**Authority proposed action:**

A modification is proposed to Policy 6.6 (2) which will make the major development test (set out in Strategic Policy 1.5 (2)) the relevant consideration when determining if a renewable energy development is appropriate in the National Park.



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**Respondent Number:** 0029

**Name:** John Willis

**Organisation:**

**On behalf of:**

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**Rep. Number:** 2

**Local Plan Section:** 6.3

**Paragraph/policy** Policy 6.6 (2)

**Is the Local Plan sound?:**

No

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:** Yes, I wish to participate in hearing session(s)

**Why?** I have personal experience of small-scale applications where visibility from the road was an issue; the Trust I run also has an interest in community owned renewables.

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

Policy 6.6.2 Small scale renewable energy development will be encouraged where it does not harm the National Park's special qualities including (a) landscape character.

This has been used in the past to justify refusing to allow solar panels where they can be seen from the road. This is mostly unjustifiable, especially in towns and villages where there is a huge variety of building styles, some of them not particularly attractive: solar panels are now a normal part of our landscape. My own street on the B3212 has a prohibition on solar panels on the roofs opposite us – they face south but the roofs themselves can barely be seen from the road and are certainly never looked at by passing drivers (often driving near the 30 mph limit on a tiny narrow street).

Policy 6.6.3 Large scale renewable energy development will not be approved.

"Dartmoor is not an appropriate location for large scale energy development aimed at power generation to support national and regional energy supply. Wind energy and solar photovoltaic farm development in particular can significantly harm the National Park's Special Qualities." (DNP LP 6.3.2 p129)

The argument relies heavily upon DNPA's desire to avoid affecting the park's areas of tranquillity or having any visual/sound/environmental/ecological impact. However, I believe that given the climate emergency this is no longer an acceptable position.

Household energy consumption will be one of the main causes of CO2 emissions in the park area. Five of the eight towns and most of the villages are on the outskirts of the park in areas that are largely indistinguishable from any other parts of rural Devon.

These settlements and their environs should certainly not be limited in their capacity to develop their own larger scale renewable energy projects, as they are not areas of high conservation concern or special tranquillity and do not reflect the park's special qualities and landscape.

**Modifications necessary to make the Local Plan compliant:**

Add to Policy 6.3.2 (a): being visible from a road will not in itself constitute an objection to such a development.

Reword Policy 6.3.3 to read: Large scale renewable energy development will be supported approved within the park boundaries where it does not significantly effect the unique character and natural heritage of the park.

Settlements on the outskirts of the park should be supported to develop larger scale renewable energy capacity so that they may become more sustainable and resilient. As with any large-scale renewable energy system placement there will of course still need to be stringent rules to make sure that there is no potential for ecological harm or local disturbance, but there should definitely be the possibility of setting up such schemes at the very least around the edges of the park. A very effective way for towns and

villages to take personal responsibility, become more resilient and energy secure, is through the creation of local community energy schemes that are run as co-operative ventures by and for the local people. Community energy schemes can help to create money to support other community projects, reduce energy bills, reduce the community's carbon footprint, & keep local money in the local area. This approach is certainly supported & encouraged by the Government as it attempts to mitigate climate change (the NPPF states that local planning authorities "should support community-led initiatives for renewable and low carbon energy"), but if DNPA adopts the no large scale renewable energy projects policy for the whole of the DNP area it could potentially stifle people's capacity to adopt effective proactive methods that could actually have a positive mitigating impact.

As many of the local town councils within & around the DNP have made Climate Emergency Declarations and now have community groups who are attempting to find effective ways to reduce their impact on the climate, these initiatives should be whole heartedly supported by the DNPA.

Friends of the Earth recommends the following local plan draft policy on community owned renewable energy:

"The social and economic benefits of community owned renewable energy generation proposals which demonstrate ownership by and led by local communities will be actively encouraged and supported. Communities will be encouraged to consider sites for appropriate renewable energy installations. Where communities wish to bring such schemes forward utilising a community ownership model, the authority will support and facilitate this as appropriate through the planning process. Given the need for widespread deployment and the benefits of community owned schemes in delivering local decentralised energy supplies therefore contributing to the sustainable development of their locality - there will be a presumption in favour of supporting such development within the authority area.

**Authority response:**

Visibility from the road is not a criteria that DNPA would use to refuse permission for solar PV panels and is not supported by the policy.

It is noted that the approach currently in policy could unnecessarily obstruct all large scale proposals even if they do not impact on the National Park's Special Qualities. A modification is proposed which will make the major development test (set out in Strategic Policy 1.5 (2)) the relevant consideration when determining if a renewable energy development is appropriate in the National Park. This will mean renewable energy proposals will be tested against the extent to which they have the potential to have significant adverse impact on National Park Special Qualities, rather than their scale.

**Authority proposed action:**

A modification is proposed which will make the major development test (set out in Strategic Policy 1.5 (2)) the relevant consideration when determining if a renewable energy development is appropriate in the National Park.

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**Respondent Number:** 0048

**Name:** Andy Stokes

**Organisation:** Buckfastleigh Town Council

**On behalf of:**

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**Rep. Number:** 21

**Local Plan Section:** 6.3

**Paragraph/policy** Policy 6.6 (2)

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

6.3.2 (p125) states "Dartmoor is not an appropriate location for large scale energy development aimed at power generation to support national and regional energy supply. Wind energy and solar Photovoltaic farm development can significantly harm the National Park's "Special Qualities." and Policy 6.6.1 (p125) that "Large Scale renewable Energy development will not be approved". We agree that large-scale solar and wind farms might have detrimental effects and are glad that DNPA are protecting the park from this, but we would like DNPA to keep an open mind to the possibility that other renewable technologies might be suitable for medium scale energy production, for instance hydro. Are there existing dam sites for instance that could be modified to generate electricity without major environmental impact?

6.3.3 We feel that the plan could emphasize that DNPA will favour potential development that aims higher than building regulations in terms of energy efficiency. It is clear that current building regulations do not go far enough to achieve the necessary carbon reduction levels targeted. They are stacked in favour of the developer not the planet. It is therefore not enough in our opinion merely to ask that developers should 'aim' in this direction, it should be a prerequisite for new development.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

A modification is proposed that will make the major development test the relevant test for determining whether a renewable energy development is acceptable, as large-scale is not a well understood term.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0049

**Name:** Mike Deaton

**Organisation:** Devon County Council

**On behalf of:**

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**Rep. Number:** 13

**Local Plan Section:** 7 **Paragraph/policy** Settlement maps

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

As a national designation, Scheduled Monuments should be included within the policy maps where relevant

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

The Authority does not have mapping in a clear format which can be used for displaying scheduled ancient monuments on the inset policies maps. We will seek to address this in future drafts. Maps showing SAMs and other historic assets are available through the Authority's website.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0090

**Name:** Rob Kinchin-Smith

**Organisation:** Friends of Ashburton Station (FoAs)

**On behalf of:**

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**Rep. Number:** 6

**Local Plan Section:** 7 **Paragraph/policy**

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

Chapter 7 (Towns Villages and Development Sites)

We welcome and strongly support Proposal 7.17 (2) Land at Station Yard, South Brent, setting aside land to safeguard the opportunity for a new railway station at South Brent and associated car park. We had failed to notice this Proposal in our consultation response to the Regulation 18 Draft Local Plan.

We would continue to seek that land be identified and safeguarded in Section 7 of the Local Plan, in association with the Peninsular Rail Task Force and relevant authorities, for the proposed North Cornwall Parkway station at the A30/A386 Sourton junction.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

The site for the proposed Parkway station does not fall within the National Park boundary.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0049

**Name:** Mike Deaton

**Organisation:** Devon County Council

**On behalf of:**

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**Rep. Number:** 15

**Local Plan Section:** 7

**Paragraph/policy**

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

Where the development proposed exceeds the forecast capacity of schools, relevant information has been set out below. This considers the forecast spare capacity, relates this to the number of dwellings proposed in the area and identifies requirements. Where a development proposal is not stated below, there is forecast to be sufficient capacity to mitigate development impact.

In addition to primary and secondary school capacity, consideration has also been given to the impact of development on Special Educational Needs (SEN) and early years provision. It is not expected that the level of development will be sufficient to require contributions towards SEN provision in accordance with the DCC's Education Infrastructure Plan, however if development proposed did meet the threshold, a contribution would be requested. With regards to early years provision, contributions may be requested from development when there is insufficient provision in the area. Ashburton Primary School Ashburton Primary has no forecast spare capacity. No development can be accommodated in the existing capacity of the school which would require either the expansion or potential relocation of the primary school which would need to be funded by development. The school is on a constrained site making it difficult to expand and at present there is no funding stream to support the relocation of the school and it is considered unlikely that the development sites proposed in the Local Plan will be able to financially support its relocation. The County Council is working with local schools to put in a place a strategy to accommodate pupils from new development. This could include some expansion on site where possible, additional provision at another local school or transport to existing schools. Therefore contributions from development will be required towards the future expansion of the existing school and / or transport to a school with capacity to support additional pupils.

Meavy C of E Primary School Meavy Primary School has a forecast spare capacity of 0.75 primary pupils – amounting to capacity for 3 dwellings. As the number of pupils from the planned scale of development exceeds the spare capacity there would need to be an increase in capacity within the area. The school is on a constrained site so has limited opportunities to expand however, if necessary, it may be possible to deliver a small expansion. Alternatively, it may be possible to amend the designated areas of Meavy Primary and other local schools and provide a small expansion delivered at a nearby school to accommodate the change in designated areas and secure additional capacity to meet the need generated by development.

Okehampton College Okehampton College has no spare forecast capacity. A scheme has been completed to relocate the post-16 provision to create 125 additional secondary school places on the site. Further expansion will be needed to accommodate development proposed in the designated area and should be considered alongside development proposed in the Plymouth and SW Devon Joint Local Plan. Developer contributions will be requested from development towards secondary infrastructure.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

Education contributions form a part of the s106 costs for development in the National Park and are factored in to the whole plan viability assessment. DNPA will continue to cooperate with DCC to ensure education needs are met.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0006

**Name:** Phil Baker

**Organisation:** South Hams District Council, West Devon Borough Council & Ply

**On behalf of:**

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**Rep. Number:** 8

**Local Plan Section:** 7 **Paragraph/policy**

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

6.SITE ALLOCATIONS

The JLP Councils support that the draft Local Plan includes a set of site allocations to meet needs and that the site allocation policies have been strengthened by adding an indication of site capacities in terms of numbers of dwellings where residential development is included.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

**Authority proposed action:**

None proposed



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**Respondent Number:** 0090

**Name:** Rob Kinchin-Smith

**Organisation:** Friends of Ashburton Station (FoAs)

**On behalf of:**

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**Rep. Number:** 8

**Local Plan Section:** 7 **Paragraph/policy**

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

Chapter 7 (Towns Villages and Development Sites)

We welcome and strongly support Proposal 7.17 (2) Land at Station Yard, South Brent, setting aside land to safeguard the opportunity for a new railway station at South Brent and associated car park. We had failed to notice this Proposal in our consultation response to the Regulation 18 Draft Local Plan.

Save for a change of Proposal number from 7.4(1) to 7.4(2), the Regulation 19 Final Draft Local Plan remains unchanged with regard to Land at Chuley Road, Ashburton.

Proposal 7.4 (2) Land at Chuley Road, Ashburton

1. An area of land at Chuley Road is identified for redevelopment for mixed use. Within this area, development will be approved where it is informed by and responds to:

- a)A) the local need for affordable housing
- b)B) the economic vibrancy of the area
- c)C) traffic movement, and public and private parking needs
- d)D) opportunities to conserve and enhance the sites' railway heritage
- e)E) opportunities to improve sustainable transport links
- f)F) opportunities to enhance the quality of the built environment and the public realm; and
- g)G) wildlife and habitat conservation and enhancement opportunities.

2. Applications should be supported by:

A) a Flood Risk Assessment which includes consideration of climate change and demonstrates that any development will be safe, not increase flood risk elsewhere, and where possible reduces flood risk overall; and

B)evidence to inform an appropriate assessment (Habitat Regulations) in order to establish that development of this site will have no adverse impact on the South Hams Special Area of Conservation. Given that the extension of the South Devon heritage railway back to Ashburton is not yet committed, we are generally supportive of this draft Proposal. Nevertheless, with regard to our comments on sustainable transport (Chapter 4), we would continue to ask that point D) be amended to:

h)D) opportunities to conserve and enhance the sites' railway heritage (buildings, the spaces between them and the former railway formation)

We would continue to seek that land be identified and safeguarded in Section 7 of the Local Plan, in association with the Peninsular Rail Task Force and relevant authorities, for the proposed North Cornwall Parkway station at the A30/A386 Sourton junction.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

The site for the proposed Parkway station does not fall within the National Park boundary.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0046

**Name:** Corine Dyke

**Organisation:** Natural England

**On behalf of:**

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**Rep. Number:** 5

**Local Plan Section:** 7 **Paragraph/policy**

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

The SEA identifies in paragraph 6.23 that for all site options: 'There is the potential for cumulative loss of undesignated habitat (hedgerow, trees and grassland) across the site options, which could have a negative effect on local wildlife movement and habitat linkages. However, it is expected that development will be able to retain existing hedgerows and vegetation where possible and supported by Local Plan Policy.' Based on this and in the interest of transparency we advise that you identify in each relevant site specific allocation policy key hedgerows/areas of vegetation to be retained. This will provide information for developers and landowners and the earliest stage and will inform developer, landowner and community expectations of the development.

Development at all allocations within the plan will need to provide robust, deliverable biodiversity net gain measures. You may wish to suggest possible net gain measures in the supporting text.

Please also see comments regarding site specific allocations in relation to Habitats Regulations Assessment set out below.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

Development site briefs have been developed to provide further guidance to developers of allocated sites. They provide an overview of each allocated site's condition, habitats and the policies development will be expected to comply with, including net gain.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0206

**Name:** Des Dunlop

**Organisation:** D2 Planning Limited

**On behalf of:** Pearce Fine Homes

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**Rep. Number:** 7

**Local Plan Section:** 7.1 **Paragraph/policy** 7.1 (2)

**Is the Local Plan sound?:** No

**Is the Local Plan legally compliant?:** No

**Is the Local Plan compliant with the duty to co-operate?:**No

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** No

**Detail of representation:**

Objections are lodged to the proposed settlement boundary for Buckfast which excludes land off Abbey Grange, Buckfast (see attached plan). It is considered that the site represents a logical extension to the settlement with clearly defined and defensible boundaries whilst not impacting on the character of the National Park.

It is therefore requested that the land be included within the settlement limits of Buckfast.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

Drawing the boundary in this way would not be consistent with the methodology for drawing settlement boundaries, as stated in the Vision and Spatial Strategy Topic Paper. Development sites have not been identified in Rural Settlements because it is not believed this is necessary to meet the Local Plan's housing needs. In rural settlements policy places a greater emphasis on windfall and exception site development. Evidence to support this approach is available in the Housing Topic Paper, particularly section 8.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0131

**Name:** Hazel Jones

**Organisation:**

**On behalf of:**

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**Rep. Number:** 29

**Local Plan Section:** 7.1

**Paragraph/policy** Policy 7.1 (2)

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

p133 Policy 7.2 Clarify 'properly prepared'

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

There is no strict government process for preparing Parish Plans. However this term is generally recognised as meaning in accordance with the relevant guidance or best practice in respect of parish plans.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0046

**Name:** Corine Dyke

**Organisation:** Natural England

**On behalf of:**

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**Rep. Number:** 3

**Local Plan Section:** 7.1

**Paragraph/policy** Policy 7.1 (2)

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

Policy 7.1(1) Settlement boundaries We note the settlement boundaries as identified in Policy 7.1 (1) and shown on the Proposals maps. We have not been able to locate the evidence that underpins these boundaries. We are concerned that the settlement boundaries are drawn very generously at a number of settlements, to include very large gardens and apparently undeveloped spaces at the edge of settlements.

At Buckfast (map 7.9) the settlement boundary includes part of the South Hams Special Area of Conservation (SAC). Natural England objects to inclusion of the SAC within the settlement boundary and advises strongly that the settlement boundary is withdrawn to exclude the SAC.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

The methodology we have used for drawing the settlement boundaries is available in the Vision and Settlement Strategy Topic Paper, at section 4. The methodology is consistent with that used in the existing adopted development plan. Boundaries are drawn using settlement features, not planning constraints. The boundaries are not development boundaries, and do not indicate where development is acceptable. The boundaries are used as a policy tool to indicate where certain policies do and do not apply. Development proposals coming forward within boundaries will be considered against all relevant policies in the Local Plan.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0011

**Name:** Amy Roberts

**Organisation:** Bell Cornwell

**On behalf of:** FMB Projects Ltd

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**Rep. Number:** 5

**Local Plan Section:** 7.1 **Paragraph/policy** Policy 7.1 (2)

**Is the Local Plan sound?:** Yes

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

Policy 7.1(2) Settlement Boundaries and Development Sites

This draft policy states that settlement boundaries shown on the inset maps define the area of the settlements within which development will be permitted where it is consistent with policies in the Local Plan.

Observations on Draft Policy

Our client SUPPORTS the proposal to define settlement boundaries for the new Rural Settlements.

Our client is also supportive of draft Policy 7.1(2), particularly criterion 1, which states:

“Settlement boundaries shown on the inset maps define the area of the settlements within which development will be permitted where it is consistent with policies in this Local Plan.”

Our client STRONGLY SUPPORTS the settlement boundary as drawn on Map 7.15 – Christow and we consider this part of the Local Plan to be sound. Paragraph 7.1.5 lists the principles upon which settlement boundaries are drawn, stating that they are drawn tightly around the built form of the settlement, and lists employment uses as a use type that is normally included within settlement boundaries. Gidley’s Meadow is a well-established business site that is well-related to the village and it is the correct and appropriate approach, therefore, to include the business park within the settlement boundary for Christow.

The owners are looking into the possibility of improving footpath links to the village from the business park to improve connectivity.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

**Authority proposed action:**

None proposed

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**Respondent Number:** 0048

**Name:** Andy Stokes

**Organisation:** Buckfastleigh Town Council

**On behalf of:**

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**Rep. Number:** 22

**Local Plan Section:** 7.1

**Paragraph/policy** 7.1.6

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

7.1.6 (p128) States: "39% of allocated land is brownfield land". In the revised plan as drafted, there is zero percent brownfield allocated in Buckfastleigh Local Centre, all is greenfield. This reopens the concerns, in Buckfastleigh at least, of "concreting over of the National Park", and an 'urbanisation of Dartmoor'. We suggest that to this end, Buckfastleigh not be aggressively tapped for new development to meet DNPA targets.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

No brownfield sites were identified as available in Buckfastleigh whilst gathering evidence for the Local Plan. The local plan does not have a target per se, but to ensure local housing needs can be met this necessitated the release of greenfield sites in some locations.

**Authority proposed action:**

None proposed.



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**Respondent Number:** 0048

**Name:** Andy Stokes

**Organisation:** Buckfastleigh Town Council

**On behalf of:**

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**Rep. Number:** 23

**Local Plan Section:** 7.1

**Paragraph/policy** 7.1 (2)

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

Policy 7.1 (1).2 (p129) states "Applicants are encouraged to recognise the benefits of pre-application advice from the Authority, and pre-application engagement and consultation with the community." We would like to point out that for some time now, pre-application advice has not been available from the DNPA, so it is not currently possible to take this up. We would like the DNPA to guarantee that sufficient resource is made available to its planning team to provide an adequate service that meets the DNPA's own standards.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

Noted. DNPA does endeavour to maintain an open and available pre-application service.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0006

**Name:** Phil Baker

**Organisation:** South Hams District Council, West Devon Borough Council & Ply

**On behalf of:**

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**Rep. Number:** 9

**Local Plan Section:** 7.1

**Paragraph/policy** Policy 7.2 (2)

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

7.NEIGHBOURHOOD PLANS

At the previous Regulation 18 stage, the JLP Councils stated that they believed it would be helpful if the draft Local Plan could clarify the relationship between the draft Local Plan and Neighbourhood Plans regarding the role of the DNPA, and also the roles of adjoining LPAs. This includes those circumstances where a Neighbourhood Plan lies potentially within 2 or more Local Planning Authority Areas. The Regulation 19 draft Plan would benefit from clarification on this matter.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

A modification is proposed to paragraph 7.1.12 which clarifies that clarifies neighbourhood plans can be established across administrative boundaries and clarifies how local planning authorities should cooperate when this is the case.

**Authority proposed action:**

A modification is proposed to paragraph 7.1.12 .

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**Respondent Number:** 0205

**Name:** Richard Bailey

**Organisation:** Bell Cornwell

**On behalf of:** Moorhaven Ltd

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**Rep. Number:** 1

**Local Plan Section:** 7.1 **Paragraph/policy** Policy 7.1 (2)

**Is the Local Plan sound?:** No

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:** Yes

**Why?** To be able to elaborate on the comments made as required/necessary

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

Policy 7.1 and specifically the settlement boundary drawn for Bittaford is not correct because land has been excluded which should be included when the methodology for identifying settlement boundaries (set out in the Vision and Spatial Strategy Topic Paper – page 28) is taken into account. As such it is not justified and sound, and should be amended.

The piece of land we are concerned about is indicated on the plan submitted with this representation form – extent of land indicated by red line. This land was shown to be within the settlement boundary of the draft version of the plan (December 2018) therefore we do not understand why they have been removed at this stage. Whilst this is in equestrian use, which should normally be excluded according to the methodology, it does:

- comprise an outdoor riding arena/manege and horse exercise circle;
- form part of the curtilage of a property; and
- sit between residential properties to the immediate south and four residential properties to the immediate north.

As such, this parcel of land is not truly untouched/greenfield, and clearly falls within and forms part of the settlement (i.e. it is not land on the edge of the settlement that extends into the open countryside).

The settlement boundary for Bittaford would be more justified and appropriate if this land and the four residential properties to the north were included.

Please see the enclosed aerial plan indicating the above point. The aerial plan shows the land that is already included in the settlement boundary with a blue line and the land that should be included in the settlement boundary with a red line.

This amendment would be consistent with how the boundary is drawn around the rest of Bittaford (and other settlements within Dartmoor).

**Modifications necessary to make the Local Plan compliant:**

To make the settlement boundary for Bittaford sound, it should be amended to re-include this parcel of land along with the residential properties to the north that enclose it and make it part of the settlement. With this land included the settlement boundary would then be appropriately drawn and therefore justified. Please see the aerial plan submitted indicating the land that should be included.

**Authority response:**

Proposed amendment to the Settlement Boundary to include the residential properties to the north, aligned with residential curtilage boundaries consistent with the methodology. The methodology clearly states equestrian uses should not be included, so the area of land with this use is not proposed to be

included within a revised boundary.

**Authority proposed action:**

Proposed minor change to the Settlement Boundary incorporating part of the area of land identified in the Representation.

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**Respondent Number:** 0058

**Name:** Marcus Salmon

**Organisation:** Environment Agency

**On behalf of:**

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**Rep. Number:** 15

**Local Plan Section:** 7.3

**Paragraph/policy** Proposal 7.12 (2)

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

We also consider that Proposal 7.12 (Thompson's, Moretonhampstead) needs to be amended. As noted in the sequential test your Authority applied to this site to support the previous examination in public the site represents an opportunity to provide for a reduction in flood risk overall to the local area. Accordingly we recommend that the words 'where possible' are removed.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

Whilst it is noted that it is desirable to achieve a reduction in overall flood risk to remove the phrase 'where possible' would be unreasonable were it to prove not possible, therefore making the allocation unacheivable. This phrase is also applied consistently across other Proposals with an element of flood risk.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0013

**Name:** Elliot Jones

**Organisation:** Boyer Planning

**On behalf of:** Cavanna Homes (South West) Limited

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**Rep. Number:** 6

**Local Plan Section:** 7.3

**Paragraph/policy** Policy 7.11 (2)

**Is the Local Plan sound?:** No

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:** Yes, I wish to participate in the hearing sessions

**Why?** As set out in our representations submitted in response to this consultation, there are a number of concerns which relate to the soundness of the Plan as currently prepared. In light of these concerns it is considered necessary to participate at the EiP Hearing sessions in order to ensure such matters are fully considered and addressed through the Examination.

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

**4. MORETONHAMPSTEAD**

4.1 Moretonhampstead is classified as a Local Centre and therefore one of the National Parks most sustainable locations capable of accommodating development.

4.2 The supporting evidence base includes specific profiles for each settlement, including information on strategic planning policies and constraints affecting each settlement.

Local Housing Need Requirement

4.3 In terms of housing need, page 4 of the Moretonhampstead Settlement Profile states that:

‘Moretonhampstead’s affordable housing needs will be identified from housing need within the following parishes: Moretonhampstead, Bidford, Chagford, Drewsteignton, Dunsford, Lustleigh, and North Bovey.’

4.4 It then sets out at Page 5 of the Settlement Profile that the January 2014 Housing Needs Assessment recommends that 13 affordable homes are needed. It is not explained what period this need relates to, but it is understood that this refers to a five-year period and should not be regarded as a plan period requirement.

4.5 The lack of an up to date assessment of housing need for Moretonhampstead is of significant concern. The date of the assessment referenced in the Settlement Profile (i.e. 2014) should be considered in the context of paragraph 3.1.10 of the Consultation Document, where it states:

‘Housing needs assessments are surveys undertaken in communities which establish the level of current and future housing need. They are a vital tool for understanding a community’s housing need, and offer far more detailed information about a community than the Housing Register.’ (Boyer emphasis)

4.6 Furthermore, it states:

“Housing needs assessments are typically valid for around 3-5yrs and they may be supported by information from the Housing Register. Where a development has taken place since a survey was carried out, this will normally mean that the housing needs assessment’s results are less meaningful.” (Boyer emphasis)

4.7 The Moretonhampstead Settlement Profile explains that neither of the extant allocations have delivered housing to date and that four affordable units have been delivered since 2008. In terms of affordable housing it should also be noted that Topic Paper 9 states that no new affordable homes (were) delivered (in Moretonhampstead) in the present local plan period.

4.8 The reality for Moretonhampstead is that it has not provided for the housing growth envisaged in the extant Development Plan with neither allocations identified in the 2013 Development Management and Delivery DPD providing for any housing to date. Moreover, in terms of affordable housing, the Authorities’ own evidence base confirms that none has been delivered in the current plan period.

4.9 The Settlement Profile for Moretonhampstead does not provide information regarding total housing delivery to date in the current plan period. A cursory review of the Council’s planning application webpages suggests that the total number of units delivered is in single figures. The evidence base

should, in our view, provide information on completions and commitments at all Local Centres, including Moretonhampstead.

4.10 As explained within these representations, our client has land interest at Moretonhampstead which, it is considered, represents a genuine suitable and sustainable development opportunity which supports the requirement of the plan to achieve a balance between meeting the needs of the National Park whilst conserving and enhancing those key features which justify the Parks special status.

4.11 Topic Paper 9 (page 38-39) explains that Moretonhampstead “requires a level of local needs development to support the community, in particular newly forming households and downsizing households.” However, this ‘level of local needs’ is not quantified in either Topic Paper 9 or the Consultation Document.

4.12 Topic Paper 9 advises that whilst there are two allocated sites, which are now coming through the development management process via planning applications, it is advised to allocate at least one future site to enable phasing and ongoing supply of homes for the community.

4.13 In response, the Consultation Document includes three land areas allocated for development, two of which (7.11 – Land at Forder Farm and 7.12 – Land at Thompson’s Haulage Depot) are allocations which have been rolled forward from the 2013 Development Management Delivery DPD, with the third (additional) site allocated at Betton Way (7.10).

4.14 In total these three allocations will provide around 69 dwellings (based on current policy requirements). All allocations proposed at Moretonhampstead include within their respective policies, a requirement to provide not less than 45% affordable homes, which equates to a minimum of c.31 affordable homes.

4.15 The absence of any specific evidence to quantify the level of need to be provided at Moretonhampstead represents a concerning failure of the plan-making process. It is explained at Paragraph 7.3.7 of the Consultation Document that allocations at Moretonhampstead are identified ‘in order to meet identified local housing need...’, yet there is no specific evidence presented that provides a quantitative requirement which proposed allocations are intended to address.

4.16 Moreover, there is no correlation between the requirements in site allocation policies to deliver affordable housing totalling c.31 dwelling and up-to-date evidence of need. Such a figure is at odds with the referenced need in the Moretonhampstead Settlement Profile, a figure of 13 affordable units which dates back to a Housing Needs Survey published in 2014.

4.17 Due to the lack of an up-to-date, robust evidence base, the level of affordable housing required in Moretonhampstead is not quantified and therefore it is not possible to determine what scale of development is required over the plan period to ensure affordable housing need can be delivered.

4.18 It is essential that the quantitative requirements for Moretonhampstead are clearly explained in order to ensure that associated policies in the Local Plan contain appropriate flexibility to respond to changing circumstances, which could include sites not delivering their anticipated contribution to affordable housing delivery.

### **Modifications necessary to make the Local Plan compliant:**

#### **Authority response:**

The latest housing needs assessment for Moretonhampstead was produced to support delivery of allocated sites and affordable housing more generally. It is typical for housing needs assessments to be repeated once development has been completed. The allocated site at Betton Way was granted outline permission, subject to s106 in 2018, and being a deliverable site is expected to progress. Housing Needs Assessments can be supported by evidence from the housing register to show their evidence remains applicable.

Although sites in Moretonhampstead have not delivered, this is not an indication that the Local Plan is not working or is not delivering. The housing delivery figures across the National Park remain strong and on target. The existing Local Plan set out a development framework for 15 years, it would therefore be wrong to argue that because an allocated site had not delivered between two local plans that it had not delivered its housing objectives. Indeed many of the housing sites in the Local Plan review will not deliver until the end of the plan period, before which another review will likely take place, this is intentional and is a further safeguard against oversupply. The housing trajectory is provided at 8.2 of the Housing Topic Paper.

#### **Authority proposed action:**

None proposed





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**Respondent Number:** 0048

**Name:** Andy Stokes

**Organisation:** Buckfastleigh Town Council

**On behalf of:**

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**Rep. Number:** 24

**Local Plan Section:** 7.3 **Paragraph/policy**

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

7.4.1 Ashburton

(p130) We would like to point out that Cycle South Dartmoor, a group consisting of representatives from Buckfastleigh Town Council, Ashburton Town Council, DNPA, Teignbridge District Council, South Hams District Council and Sustrans as well as other local representatives, has developed a proposal and feasibility study for a multi-purpose path from South Brent to Ashburton. This has the backing of Sustrans and will be promoted for implementation. We would like this to be considered and integrated in any future plans for development in Ashburton and Buckfastleigh. It particularly affects the Chuley Rd allocation and the proposals for road changes regarding the Linhay Hill quarry extension.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

The cycle path is noted in the Infrastructure Delivery Plan and the Authority are looking for possible funding sources within and outside the planning system.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0177

**Name:** Judy Gordon Jones

**Organisation:**

**On behalf of:**

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**Rep. Number:** 1

**Local Plan Section:** 7.3 **Paragraph/policy** Proposal 7.3

**Is the Local Plan sound?:** Yes

**Is the Local Plan legally compliant?:** Yes

**Is the Local Plan compliant with the duty to co-operate?:** Yes

**Hearing session(s)?:** No, I do not wish to participate in hearing session(s)

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** No

**Detail of representation:**

The proposed housing at Longstone Cross. whilst appreciating the need for affordable homes in the area, we consider 40 homes on this site to be of too high a density both for the quality of the housing and for its impact on the area.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

Development densities are determined by a study of development densities on recently delivered sites across the National Park. The average density was found to be 35 dwellings per hectare. Further discussion of the methodology for this is available in section 7.1 of the Housing Topic Paper.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0013

**Name:** Elliot Jones

**Organisation:** Boyer Planning

**On behalf of:** Cavanna Homes (South West) Limited

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**Rep. Number:** 9

**Local Plan Section:** 7.3

**Paragraph/policy** Policy 7.11 (2)

**Is the Local Plan sound?:** No

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:** Yes, I wish to participate in the hearing sessions

**Why?** As set out in our representations submitted in response to this consultation, there are a number of concerns which relate to the soundness of the Plan as currently prepared. In light of these concerns it is considered necessary to participate at the EiP Hearing sessions in order to ensure such matters are fully considered and addressed through the Examination.

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

4.24 Land at Forder Farm (7.11) is also subject to a live planning application with the resolution to grant, subject to S106, confirmed in September 2018 (Ref: 0228/18). The application seeks to provide for up to 30 dwellings. The precise scale of affordable housing is yet to be confirmed through the associated S106, but in order to be compliant with extant or emerging policy (50% / 45% respectively) this scheme will be required to provide between 13-15 affordable housing units.

4.25 It should also be noted that policy 7.11 refers to the site delivering around "25 homes" demonstrating once again a disconnect between the policy requirements and the reality of what is proposed on an identified development site.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

As previously stated, policy does allow the proportion of affordable housing to be varied. In particular affordable housing provision can be varied to account for development viability, provision of community infrastructure, a need for a higher proportion of local needs custom and self-build housing or environmental betterment. Whilst affordable housing delivery is a key component of the benefits that justify new housing in the National Park, the National Parks Circular makes clear that new housing should also be used to support local employment opportunities and key services.

Site capacities have been provided as an indicative, not absolute, guide to an allocated site's capacity. They are completed to give communities an indication as to the scale and density of development acceptable. They are intended to be flexible and subject to detailed design proposals.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0013

**Name:** Elliot Jones

**Organisation:** Boyer Planning

**On behalf of:** Cavanna Homes (South West) Limited

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**Rep. Number:** 7

**Local Plan Section:** 7.3

**Paragraph/policy** Policy 7.12 (2)

**Is the Local Plan sound?:**

No

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:** Yes, I wish to participate in the hearing sessions

**Why?** As set out in our representations submitted in response to this consultation, there are a number of concerns which relate to the soundness of the Plan as currently prepared. In light of these concerns it is considered necessary to participate at the EiP Hearing sessions in order to ensure such matters are fully considered and addressed through the Examination.

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

**4. MORETONHAMPSTEAD**

4.1 Moretonhampstead is classified as a Local Centre and therefore one of the National Parks most sustainable locations capable of accommodating development.

4.2 The supporting evidence base includes specific profiles for each settlement, including information on strategic planning policies and constraints affecting each settlement.

Local Housing Need Requirement

4.3 In terms of housing need, page 4 of the Moretonhampstead Settlement Profile states that:

‘Moretonhampstead’s affordable housing needs will be identified from housing need within the following parishes: Moretonhampstead, Bidford, Chagford, Drewsteignton, Dunsford, Lustleigh, and North Bovey.’

4.4 It then sets out at Page 5 of the Settlement Profile that the January 2014 Housing Needs Assessment recommends that 13 affordable homes are needed. It is not explained what period this need relates to, but it is understood that this refers to a five-year period and should not be regarded as a plan period requirement.

4.5 The lack of an up to date assessment of housing need for Moretonhampstead is of significant concern. The date of the assessment referenced in the Settlement Profile (i.e. 2014) should be considered in the context of paragraph 3.1.10 of the Consultation Document, where it states:

‘Housing needs assessments are surveys undertaken in communities which establish the level of current and future housing need. They are a vital tool for understanding a community’s housing need, and offer far more detailed information about a community than the Housing Register.’ (Boyer emphasis)

4.6 Furthermore, it states:

“Housing needs assessments are typically valid for around 3-5yrs and they may be supported by information from the Housing Register. Where a development has taken place since a survey was carried out, this will normally mean that the housing needs assessment’s results are less meaningful.” (Boyer emphasis)

4.7 The Moretonhampstead Settlement Profile explains that neither of the extant allocations have delivered housing to date and that four affordable units have been delivered since 2008. In terms of affordable housing it should also be noted that Topic Paper 9 states that no new affordable homes (were) delivered (in Moretonhampstead) in the present local plan period.

4.8 The reality for Moretonhampstead is that it has not provided for the housing growth envisaged in the extant Development Plan with neither allocations identified in the 2013 Development Management and Delivery DPD providing for any housing to date. Moreover, in terms of affordable housing, the Authorities’ own evidence base confirms that none has been delivered in the current plan period.

4.9 The Settlement Profile for Moretonhampstead does not provide information regarding total housing delivery to date in the current plan period. A cursory review of the Council’s planning application webpages suggests that the total number of units delivered is in single figures. The evidence base

should, in our view, provide information on completions and commitments at all Local Centres, including Moretonhampstead.

4.10 As explained within these representations, our client has land interest at Moretonhampstead which, it is considered, represents a genuine suitable and sustainable development opportunity which supports the requirement of the plan to achieve a balance between meeting the needs of the National Park whilst conserving and enhancing those key features which justify the Parks special status.

4.11 Topic Paper 9 (page 38-39) explains that Moretonhampstead “requires a level of local needs development to support the community, in particular newly forming households and downsizing households.” However, this ‘level of local needs’ is not quantified in either Topic Paper 9 or the Consultation Document.

4.12 Topic Paper 9 advises that whilst there are two allocated sites, which are now coming through the development management process via planning applications, it is advised to allocate at least one future site to enable phasing and ongoing supply of homes for the community.

4.13 In response, the Consultation Document includes three land areas allocated for development, two of which (7.11 – Land at Forder Farm and 7.12 – Land at Thompson’s Haulage Depot) are allocations which have been rolled forward from the 2013 Development Management Delivery DPD, with the third (additional) site allocated at Betton Way (7.10).

4.14 In total these three allocations will provide around 69 dwellings (based on current policy requirements). All allocations proposed at Moretonhampstead include within their respective policies, a requirement to provide not less than 45% affordable homes, which equates to a minimum of c.31 affordable homes.

4.15 The absence of any specific evidence to quantify the level of need to be provided at Moretonhampstead represents a concerning failure of the plan-making process. It is explained at Paragraph 7.3.7 of the Consultation Document that allocations at Moretonhampstead are identified ‘in order to meet identified local housing need...’, yet there is no specific evidence presented that provides a quantitative requirement which proposed allocations are intended to address.

4.16 Moreover, there is no correlation between the requirements in site allocation policies to deliver affordable housing totalling c.31 dwelling and up-to-date evidence of need. Such a figure is at odds with the referenced need in the Moretonhampstead Settlement Profile, a figure of 13 affordable units which dates back to a Housing Needs Survey published in 2014.

4.17 Due to the lack of an up-to-date, robust evidence base, the level of affordable housing required in Moretonhampstead is not quantified and therefore it is not possible to determine what scale of development is required over the plan period to ensure affordable housing need can be delivered.

4.18 It is essential that the quantitative requirements for Moretonhampstead are clearly explained in order to ensure that associated policies in the Local Plan contain appropriate flexibility to respond to changing circumstances, which could include sites not delivering their anticipated contribution to affordable housing delivery.

### **Modifications necessary to make the Local Plan compliant:**

#### **Authority response:**

The latest housing needs assessment for Moretonhampstead was produced to support delivery of allocated sites and affordable housing more generally. It is typical for housing needs assessments to be repeated once development has been completed. The allocated site at Betton Way was granted outline permission, subject to s106 in 2018, and being a deliverable site is expected to progress. Housing Needs Assessments can be supported by evidence from the housing register to show their evidence remains applicable.

Although sites in Moretonhampstead have not delivered, this is not an indication that the Local Plan is not working or is not delivering. The housing delivery figures across the National Park remain strong and on target. The existing Local Plan set out a development framework for 15 years, it would therefore be wrong to argue that because an allocated site had not delivered between two local plans that it had not delivered its housing objectives. Indeed many of the housing sites in the Local Plan review will not deliver until the end of the plan period, before which another review will likely take place, this is intentional and is a further safeguard against oversupply. The housing trajectory is provided at 8.2 of the Housing Topic Paper.

#### **Authority proposed action:**

None proposed



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**Respondent Number:** 0013

**Name:** Elliot Jones

**Organisation:** Boyer Planning

**On behalf of:** Cavanna Homes (South West) Limited

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**Rep. Number:** 5

**Local Plan Section:** 7.3

**Paragraph/policy** Policy 7.10 (2)

**Is the Local Plan sound?:**

No

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:** Yes, I wish to participate in the hearing sessions

**Why?** As set out in our representations submitted in response to this consultation, there are a number of concerns which relate to the soundness of the Plan as currently prepared. In light of these concerns it is considered necessary to participate at the EiP Hearing sessions in order to ensure such matters are fully considered and addressed through the Examination.

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

**4. MORETONHAMPSTEAD**

4.1 Moretonhampstead is classified as a Local Centre and therefore one of the National Parks most sustainable locations capable of accommodating development.

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should, in our view, provide information on completions and commitments at all Local Centres, including Moretonhampstead.

4.10 As explained within these representations, our client has land interest at Moretonhampstead which, it is considered, represents a genuine suitable and sustainable development opportunity which supports the requirement of the plan to achieve a balance between meeting the needs of the National Park whilst conserving and enhancing those key features which justify the Parks special status.

4.11 Topic Paper 9 (page 38-39) explains that Moretonhampstead “requires a level of local needs development to support the community, in particular newly forming households and downsizing households.” However, this ‘level of local needs’ is not quantified in either Topic Paper 9 or the Consultation Document.

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4.13 In response, the Consultation Document includes three land areas allocated for development, two of which (7.11 – Land at Forder Farm and 7.12 – Land at Thompson’s Haulage Depot) are allocations which have been rolled forward from the 2013 Development Management Delivery DPD, with the third (additional) site allocated at Betton Way (7.10).

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4.18 It is essential that the quantitative requirements for Moretonhampstead are clearly explained in order to ensure that associated policies in the Local Plan contain appropriate flexibility to respond to changing circumstances, which could include sites not delivering their anticipated contribution to affordable housing delivery.

### **Modifications necessary to make the Local Plan compliant:**

#### **Authority response:**

The latest housing needs assessment for Moretonhampstead was produced to support delivery of allocated sites and affordable housing more generally. It is typical for housing needs assessments to be repeated once development has been completed. The allocated site at Betton Way was granted outline permission, subject to s106 in 2018, and being a deliverable site is expected to progress. Housing Needs Assessments can be supported by evidence from the housing register to show their evidence remains applicable.

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#### **Authority proposed action:**

None proposed.





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**Respondent Number:** 0015

**Name:** Ed Heynes

**Organisation:** Heynes Planning Ltd

**On behalf of:** Ken and Melanie Gorvin

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**Rep. Number:** 1

**Local Plan Section:** 7.3 **Paragraph/policy**

**Is the Local Plan sound?:** No

**Is the Local Plan legally compliant?:** Yes

**Is the Local Plan compliant with the duty to co-operate?:** Yes

**Hearing session(s)?:** Yes, I wish to participate in hearing session(s)

**Why?** While we understand that omission sites are not normally discussed at hearing sessions we consider that the strategy for Yelverton is flawed for the reasons as set out in attached correspondence and the Plan would be unsound as it stands. We wish to take the opportunity to present our case to the Inspector regarding this matter.

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

a) Introduction

We are writing in connection with the final draft Dartmoor Local Plan (referred to in this representation as 'the Plan') which is the subject of consultation (Regulation 19). On behalf of our Clients, we wish to make representations to the Plan. These are set out below.

In preparing the representations, consideration has been given to the contents of the draft Plan supporting evidence and other material considerations including the requirements set out in para. 35 of the National Planning Policy Framework (NPPF) relating to tests of soundness and the legal and procedural requirements of Plan making together with Planning Policy Guidance (PPG) published by the Government.

We have also reviewed accompanying documents that form part of the evidence base to the draft Plan and we comment on those documents where necessary. Further, we have made representations previously to the first draft version of the Plan (Regulation 18) and some of the observations made are reiterated in this representation. These can be supplied upon request. Further, and for ease of reference, we have cross referenced our comments with the paragraph numbers in the Plan.

b) Context for the Representations

Our Clients own land on the northern edge of the built-up area of Yelverton and wish to put forward part of this land as a site for housing development in the Plan. The extent of the site is shown on the attached plan. It covers an area of approx. 1.1 hectares and comprises agricultural land.

The site is bounded by substantial hedgerows to the north, west and south while existing properties (residential and a church owned by the Diocese of Plymouth), lies to the east. It should be noted that our Clients ownership extends beyond the site boundary to the west but this land is not proposed to be included in the proposed allocation.

Immediately to the south of the site is land that is the subject of a housing allocation in the existing adopted Development Management and Delivery Document which forms part of the current Development Plan for the National Park. It is identified as YEL1 on Inset Map 12.

Our Client wishes to put forward part of the land in their ownership for development, in the form of a housing allocation, in order to meet the needs of the local community. The relevant parcel of land is shown on the plan referred to above.

As far as we are aware, the site has no constraints to development. Furthermore, it includes a parcel of land which has direct access onto Dousland Road. While this is suitable for 'limited' vehicular and pedestrian access, our Clients are looking to facilitate the creation of a more substantial and suitable vehicular access to serve the site. As such, discussions have been taking place with the Diocese of Plymouth regarding the use of their land for such purposes. They have confirmed in a letter to our Client (see attached) that the land can indeed be used and they are aiming to conclude discussions in the near future regarding exactly how the access would be facilitated. In our view, our Clients land is quite clearly

capable of being serviced from Dousland Road and it should be viewed as a viable and deliverable site.

#### c) Representations

As stated above we have reviewed the evidence base that underpins the Plan. A number of observations are made as follows:

- As a general point, we are aware of the need to balance environmental considerations with sustaining rural communities and delivering appropriate amounts of development within the Park. This is set out in the NPPF/PPG and does not need to be repeated here. However, the Authority needs to ensure that an appropriate balance is indeed struck and that it does not place too great an emphasis on environmental protection which would be detrimental to the future vitality and viability of communities within the Park. There is still a need to deliver development, including housing, where a need exists. To this effect, the Plan must take a positive approach to delivering development in terms of meeting local communities and creating sustainable patterns of development;
- Historic delivery over a 10 year period (set out at para. 4.2.5 of the Housing Topic Paper) shows an average of 73 dwellings per year being delivered and 50 dwellings per year since the adoption of the Core Strategy in 2012. The housing requirement in the Core Strategy is the same figure (see para. 4.2.5 of the Housing Topic Paper). While it is appreciated that 50 dpa has been the delivery rate since 2012 this suggests that it has been constrained by the housing requirement in the Core Strategy;
- In terms of the required levels of growth it is clear that a policy that allows communities to stagnate and/or deteriorate in terms of their social and economic standing cannot be supported. It is encouraging to see that at para. 5.2.3 of the Housing Topic Paper, the Authority takes the view that only with a level of development over 50 dpa that there is a positive impact upon population change projected;
- We note in the evidence that the issue of need and the housing requirement has been examined in relation to a number of factors relevant to the National Park (as would be expected) but it is unclear as to how exactly the 65 dpa figure has been derived. We note the fact that in the Housing Topic Paper at 5.3.1 that a range of between 50 and 80 dwellings a year has been examined as being a potential delivery rate and that members settled on 65dpa (para. 5.3.2) but we cannot see, in the evidence, as to how exactly the 65dpa figure has been arrived at in terms of officers establishing that figure based on the evidence. Given the level of housing proposed then a 5 – 10 unit variance (per annum) could be quite significant;
- As set out in the Vision and Spatial Strategy Topic Paper at para. 4.5 and beyond, site allocations clearly have an important role in delivering development in order to meet local needs. Their use is supported;
- Regarding the distribution of growth, the figures in para. 5.5.2 of the Housing Topic Paper are noted, in particular the rate of permissions and completions in the Local Centres over the current Plan period. We are concerned that the figure identified for Local Centres (as set out at 5.5.10 of the Housing Topic Paper is too low i.e. 60% is proposed in the Plan when i) the evidence points to delivery, historically, being clearly directed to Local Centres; ii) development in the Local Centres is likely to have a lesser impact on Dartmoor's natural environment; and iii) it is on the housing allocations (in the Local Centres) where there is most likely to be the delivery of affordable housing;

Turning to the Plan itself we wish to make the following representations. We refer to the draft Policy number and the relevant page of the Plan in turn.

- Draft paras. 1.4.5 and 6, P.20/21 – We support the aims and hierarchy as stated;
- Draft Strategic Policy 1.4 (2) Spatial Strategy, P.22 – We support the spatial strategy as stated but object to the term “indicative” in setting out the housing requirement figure. We also object to only 60% of the housing being allocated to the Local Centres. The figure should be increased in order to achieve sustainable patterns of development and also to allow for the delivery of local needs housing;
- Draft para. 3.1.4, P.59 – As stated above the use of the term “indicative,” is not supported;
- Draft para. 3.1.5, P.60 – We support the strategy of new housing being focused on the Local Centres;
- Draft para. 3.1.8, P.60 – We object to sites being brought forward only on the basis that there is a local housing need (evidenced by a Housing Needs Assessment). This creates uncertainty regarding delivery to the detriment of local communities. Surely it is the role of the evidence base at the time the Plan is prepared to confirm whether there is a need - not at the time a planning application is submitted. Related policies should be amended accordingly;
- Draft Strategic Policy 3.1 (2), Meeting Housing Need in Dartmoor National Park, P.61 – We object to the term “indicative” and the level of housing proposed i.e. 65 dpa in sub para. 1. We also object to sub para. 2;
- Draft Strategic Policy 3.3 (2), Housing in Local Centres, P.69 – We support the general approach as set out in the draft Policy and the flexibility surrounding delivery of affordable housing based on individual circumstances;
- Draft Strategic Policy 5.1 (2), Business and Tourism Development, P.106 – We support the flexible approach to delivery of business and tourism related development in terms of location;
- Draft Para. 7.3, Settlements, P.148 – We object to the Section on Yelverton. Whilst it is appropriate to identify Yelverton as a Local Centre we object to the strategy regarding identifying sites for allocation. We object to allocations at Proposal 7.18 (2) and 7.19 (2). Using housing allocations as a means of directing a substantial part of the housing requirement to appropriate locations, (an approach we agree with) the Authority has identified two sites to be allocated in

Yelverton at Binkham Hill and at Elfordtown. The most important issue to consider at this point therefore is whether a) those allocations are sound in planning terms and b) whether there are reasonable alternatives. On these points we do not consider that the site at Binkham Hill merits allocation given its location and character and that the site at Elfordtown has potential issues in terms of access which makes it unsuitable. It is our contention that our Clients land performs better than either of those locations in terms of i) delivery; and ii) creating sustainable patterns of development. If it does, then it should be given preference over either one of those locations.

We consider that the site certainly performs better than the site a Binkham Hill which is i) compared to our Clients site, far more prominent in the landscape; ii) is located directly adjacent to Dousland Road which again means that it is prominent in the landscape; and iii) extends the existing built up area of Yelverton to the north and leads to an outward expansion of the town. The conclusions drawn in the appraisal (11.3) as set out in Topic Paper 9 regarding this site state, under the Placemaking section, that it is 'somewhat enclosed'. That is simply not the case as it has no defined boundary to the north and has views of the lower slopes of Dartmoor. The creation of a junction onto Dousland Road in this location would substantially affect the character of that part of the road leading to a loss of mature vegetation and would clearly extend the village in a northerly direction. The special environmental quality of the Park, which the Authority is keen to protect, would be significantly eroded by the creation of the access in this location.

Our Clients land, in comparison, is situated in a more discrete location. If the land were to be developed it would not be so prominent in the landscape particularly given the extent of natural screening on the northern boundary and it would not extend the village in a northerly or easterly direction noting the structure of the built environment in this part of the settlement at present. More importantly, with a footway connecting the front of the site to the centre of the village and the range of services and facilities that it offers, it is closer to the centre of the village than the site at Binkham Hill. With greater ease of access it must surely be considered to be more sustainable in terms of its location.

Our Clients land abuts existing development on two sides. A power sub station extends across part of the northern boundary. Critically, our Clients site is located adjacent to land that is allocated in the existing adopted Plan. The Authority (and the Inspector who examined the Plan) must have considered that site worthy of being allocated and being a suitable location for development. That being the case, then our Clients land, being in virtually the same location, must be an obvious choice for allocation as it has virtually the same characteristics as that site. Our Clients site should therefore be preferred compared to the land at Binkham Hill.

With respect to the land at Elfordtown, this has a much better relationship with the pattern of development in this part of the town compared to the site at Binkham Hill but any access onto the adjacent highway is likely to lead to congestion of the highway which already suffers from congestion due to its width/alignment. Dousland Road clearly has a better alignment and has a greater free flow of traffic and therefore in that context would be preferable to the site at Elfordtown.

Therefore, based on the current strategy identified in the Plan we consider that our Clients site should be allocated in preference to the site at Binkham Hill. In fact, in our view, it is not a case of both sites having merit and the site at Binkham Hill marginally performing better than our Clients site. The failure of our site to be allocated when it offers significant and distinct advantages over the Binkham Hill site would render the Plan unsound on the basis of the most appropriate strategy not being implemented when considered against the alternatives. We raise objection to the Plan as it stands on this basis.

The above justification is however based on the site sitting comfortably within the current strategy proposed in the Plan. As we have stated above, we have concerns regarding the housing requirement and the fact that the Local Centres should be accommodating a greater share of that housing requirement. Therefore, if additional land is required then our Clients site is, again, an obvious candidate for meeting the identified need.

A proposal for our Clients site in the Plan would i) confirm the site area for development via a plan; ii) confirm the percentage provision of affordable housing; and, iii) ensure a suitable means of vehicle and pedestrian access is provided. The settlement boundary would also have to be amended.

Therefore, as stated earlier, we have reviewed the Plan having regard to the tests of soundness as set out in paragraph 35 of the NPPF. We have identified a series of issues with the Plan that require consideration. Further, we have concerns, as stated, regarding the ability of the proposed allocated sites in Yelverton to make a real and genuine contribution to meeting local housing needs. The strategy for delivery of housing in the Plan is not effective noting that there are reasonable alternatives that can deliver and the strategy has not been properly justified.

#### **Modifications necessary to make the Local Plan compliant:**

Our Client wishes to put forward part of the land in their ownership for development, in the form of a

housing allocation, in order to meet the needs of the local community.

**Authority response:**

The proposed site was identified by the landowner after the LAA process completed, and was advised that in the absence of a suitable access at that time the site would not be achievable in respect of the LAA, and therefore not proceed as a site option. The landowner identified a site access at a late stage in plan-making, thus the site has not been considered through the plan-making process, nor through the consultation process, as a reasonable alternative site. The sites identified in the Local Plan for Yelverton correspond with the emerging Buckland Monachorum neighbourhood plan, and therefore have a strong basis for their inclusion. The site access options have not been appraised in detail given their submission at the Regulation 19 stage. There is a clear potential impact upon the setting of the church through the provision of a suitable highway access through the adjoining land, which is not considered in the representation and is likely to present a significant constraint. Whilst the site as an option may be achievable its late submission to the process means DNPA does not consider it to be a reasonable alternative for the plan, given the availability, deliverability and achievability of the allocated sites, and their consistency with the emerging Buckland Monachorum Neighbourhood Development Plan.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0090

**Name:** Rob Kinchin-Smith

**Organisation:** Friends of Ashburton Station (FoAs)

**On behalf of:**

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**Rep. Number:** 5

**Local Plan Section:** 7.3

**Paragraph/policy** Proposal 7.4 (2)

**Is the Local Plan sound?:** No

**Is the Local Plan legally compliant?:** Yes

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:** No, I do not wish to participate in hearing session(s)

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

Save for a change of Proposal number from 7.4(1) to 7.4(2), the Regulation 19 Final Draft Local Plan remains unchanged with regard to Land at Chuley Road, Ashburton.

a) We are generally supportive of this draft Proposal, including bullet points:

b) D) opportunities to conserve and enhance the sites' railway heritage and

c) E) opportunities to improve sustainable transport links

**Modifications necessary to make the Local Plan compliant:**

In order to better reflect new Policy 4.3 (2) "Enabling sustainable transport" and reflecting our comments on sustainable transport (Chapter 4), we would continue to ask that the railway formation be protected through the Proposal site, perhaps by amending bullet point D) to:

d) D) opportunities to conserve and enhance the sites' railway heritage (buildings, the spaces between them and the former railway formation)

**Authority response:**

DNPA believes the provisions of Policy 4.3(2) to be sufficient in this instance. The former route of the track is in some place occupied by buildings or structures and infrastructure through the site, thus the overarching policy is in this instance more appropriate, and remains consistent with any other proposals.

**Authority proposed action:**

None proposed



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**Respondent Number:** 0013

**Name:** Elliot Jones

**Organisation:** Boyer Planning

**On behalf of:** Cavanna Homes (South West) Limited

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**Rep. Number:** 8

**Local Plan Section:** 7.3

**Paragraph/policy** Policy 7.12 (2)

**Is the Local Plan sound?:**

No

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:** Yes, I wish to participate in the hearing sessions

**Why?** As set out in our representations submitted in response to this consultation, there are a number of concerns which relate to the soundness of the Plan as currently prepared. In light of these concerns it is considered necessary to participate at the EiP Hearing sessions in order to ensure such matters are fully considered and addressed through the Examination.

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

DMD Site Allocations

4.19 In this context, it should be noted that the retained allocation at 'Thompsons' (7.12) is subject to a live planning application (Ref: 0139/19) for the erection of 40 dwellings. This contrasts with the requirement in emerging policy 7.12 for this site to provide for "around 26 homes." Of greater significance is the fact that the proposal subject to the live planning application will not provide for any affordable homes owing to the Vacant Building Credit. Consequently, the policy requirements related to this allocation are inconsistent with the reality of the proposals currently before the Park Authority.

4.20 This adds further weight for the housing needs for Moretonhampstead to be specifically quantified in policy, including the scale of affordable housing to be delivered over the plan period. As stated previously, the Consultation Document (paragraph 7.3.7) states that the proposed sites are Moretonhampstead are identified in response to local housing need, plaintively this is not the case with the land at Thompson's Depot, which will not provide for the affordable housing required by the emerging policy.

4.21 The consequence of which is that a planned source of affordable housing, circa 12 affordable units (based on policy requirement of 45% of around 26 homes), will not be delivered. This therefore necessitates alternative sources of supply, including the inclusion of an additional site to plug the delivery gap resulting from the lack of any affordable housing at site 7.12 over and above that proposed in the Consultation Document.

4.22 In such a scenario, Courtenay Park can provide a logical and deliverable opportunity to facilitate the delivery of affordable housing, a need which will not be delivered via proposed allocation 7.12.

4.23 At the very minimum Policy 7.12 should be revised to reflect what is actually deliverable and acknowledge that this development will not provide for affordable housing and an alternative source of supply identified.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

The allocation intentionally does not pre-determine any allowance for Vacant Building Credit in the application. The policy requires affordable housing to be delivered in the same way as other sites, unless material considerations indicate otherwise at application stage.

The objective of housing delivery in the National Park is expressed as a total number of houses, not a total number of affordable houses. Whilst affordable housing delivery is a key component of the benefits that justify new housing in the National Park, the National Parks Circular makes clear that new housing

should also be used to support local employment opportunities and key services. In this way policies are flexible to allow the proportion of affordable housing on a site to change where other community benefits are being realised. Central government believe regeneration of brownfield sites delivers community benefit that exceeds affordable housing need and therefore introduced vacant building credit. DNPA's policies therefore reflect this and brownfield development on sites such as the Thompson's site is considered consistent with the broader benefits that new housing can bring to a National Park consistent with the Circular.

There is sufficient affordable housing delivery identified on both Moretonhampstead's allocated sites to meet the needs identified in the housing needs assessment. There is sufficient flexibility in policy to allow future housing schemes to come forward via exception sites, should a need be identified that is over and above the capacity of the allocated sites.

**Authority proposed action:**

None proposed.



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**Respondent Number:** 0114

**Name:** Paul Pine

**Organisation:**

**On behalf of:**

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**Rep. Number:** 1

**Local Plan Section:** 7.3 **Paragraph/policy** Proposal 7.19 (2)

**Is the Local Plan sound?:** Yes

**Is the Local Plan legally compliant?:** No

**Is the Local Plan compliant with the duty to co-operate?:** Yes

**Hearing session(s)?:** Yes, I wish to participate in hearing session(s)

**Why?** My family home will be directly and significantly affected by Proposal 7.19 Land at Binkham Hill, Yelverton. I do not feel that the Local Plan has focused enough on Yelverton as a Local Centre and specifically its wider role as a gateway to the people of Plymouth. Specifically the Proposal 7.19 needs to be reviewed in the light of this wider role, the impact on the special qualities of Dartmoor and the Plan needs more clarity on how 'identified local needs' are established.

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

I am not in a position to say whether the Local Plan is both legally compliant and compliant with the duty to co-operate, but I am assuming that it is.

I do not consider the Local Plan to be sound though with regard to Proposal 7.19 (2) Land at Binkham Hill, Yelverton.

**Modifications necessary to make the Local Plan compliant:**

The Binkham Hill Proposal is not sound for a number of reasons.

- The proposal allocates development of 'around 41 homes' (with 45% for affordable housing) in a site of 1.48 ha, whilst a similar proposal in Yelverton 'Proposal 7.18 (2) Land at Elfordtown, Yelverton' allocates 'around 40 homes' (with 45% for affordable housing) in a site of 1.99 ha. The Binkham Hill Proposal should have the number of homes reduced to reflect parity between options in Yelverton for development. I would suggest 30 homes over 1.48 ha is equivalent housing density to 40 homes over 1.99 ha.

- The number of homes (41) is an addition the Binkham Hill Proposal since the December 2018 First Draft of the Local Plan. These homes are there 'to meet identified local needs', yet the plan is not clear in how these needs have been calculated, or will be calculated in the future. Strategic Policy 3.3 (page 69) sets out guidelines for new housing development in Local Centres, but not how the needs are calculated. The Local Plan needs to demonstrate how it arrived at the numbers of homes allocated to each Proposal and describe how 'identified local needs' will be calculated in the future.

- Proposal 7.19 (2) Land at Binkham Hill (page 148) part (c) refers to 'appropriate highway improvements to access Plymouth Road'. Plymouth Road is no where near Binkham Hill, but is the A386 near Horrabridge. Binkham Hill is next to Dousland Road, this should be corrected.

- Proposal 7.19 refers to 'land' and does not recognise that it is currently green-field working farmland, providing local employment and locally sourced food, meeting local population needs. It supports the 'Special Qualities of Dartmoor National Park' stated in paragraph 1.1.8 providing 'traditional farming practices, using the moorland commons for extensive grazing of hardy cattle, sheep and ponies'. This land use and 'Special Qualities of Dartmoor National Park' constraint should be included in the Proposal.

- Proposal 7.19 also cuts the current farming pasture in half impacting the number of animals that graze on the land, access to and from the field, the impact on local farmers, loss of green space in favour of

urban and how any boundary would be established. To maintain the 'Special Qualities of Dartmoor National Park' the introduction of 'dry stone walls and hedgebanks' could be included. These land type aspects and constraints should be included in the proposal.

- This proposal for housing at Yelverton does not include any proposed uplift for additional Services such as GP and Dentist (with National Health Dentists rather than Private to support affordable housing families), and more importantly the introduction of Services that do not currently exist in Yelverton, most notably a Primary School. The Yelverton Settlement Profile (September 2019) Map 3 "Settlement Services" (page 8) has a Legend for Key Services which do not exist, for example Primary School, Bank and Public Library. Both the Proposal 7.19 and the supporting Yelverton Settlement Profile require updating to reflect the actual key services available and emphasise the ones that do not currently exist.

- Proposal 7.19 makes reference to a 'link to the Drake's Trail' yet this is not referred anywhere else within the Local Plan. Details of this need to be included so it is clear what is 'Drake's Trail' and how any link may impact the local population and 'Special Qualities' of Dartmoor. The current Drake's Trail Cycle Path is on the other side of Yelverton about half a kilometre away.

- Proposal 7.19 increases housing in Yelverton, will also increase road traffic and parking requirements in local facilities (shops) and services (doctor, dentist), and those facilities that will require additional public transport (Primary Schools in Horrabridge, Meavy and Walkhampton) which currently do not exist. Any proposal in Yelverton should also address the traffic uplift required in these additional parking requirements and facilities to support the increased local population.

- Proposal 7.19 does not fully consider 'Strategic Policy 1.4 Spatial Strategy' specifically to Yelverton with its unique proximity to major towns (between Tavistock and Ivybridge), city (Plymouth) and adjacent Villages (Crapstone and Axtown) which are outside the National Park Boundary when considering housing needs. Many people outside the National Park Boundary use the National Park routinely often commuting through it on a daily basis, eg Tavistock to Plymouth via Yelverton is a particularly busy road. Yelverton has a much bigger role than housing, as it is the gateway to the National Park from the major city of Plymouth. This is not considered in the Plan or the Yelverton Settlement Profile. The Plan and Profile should be updated to reflect the unique position of Yelverton, proximity to Plymouth and role as a gateway settlement serving the wider community.

#### **Authority response:**

The indicative yield of the site is a reflection of the LAA methodology relating to the developable area of the site, to compare site sites without taking this into account is not accurate. Furthermore the yields identified are indicative, and the actual yield achieved will be seen only through the more detailed development stage of site planning, taking into account the Site Development Brief for the respective site. The Housing Topic Paper describes house Housing Need is identified, both in the broader sense for plan preparation, and in respect of the Local Housing Needs Assessments. It is recognised that Yelverton would benefit from an up to date Housing Needs Assessment, but the recent completion of an affordable housing scheme means it would not be desirable to have undertaken one at that point. It should be noted, though, that development sites in the local plan should only come forward in response to an identified housing need. The Site Development Brief contains more information in respect of features which may be appropriate as part of the site, as would the more detailed development process. The Infrastructure Delivery Plan (IDP) which supports the Local Plan does not identify a requirement for specific local infrastructure which is required and should be provided for as part of this development. The IDP has been informed by consultation with infrastructure and service providers, local communities (and in particular, Parish Councils) in respect of the current services and facilities available, and specific future requirements. Settlement Profiles are supporting evidence, rather than forming part of the Local Plan.

#### **Authority proposed action:**

Proposed modification to Proposal 7.19(2)( c ) to alter Plymouth Road to Dousland Road. Proposed modification to Proposal 7.19(2)( b ) to alter Drakes Trail to XXXXX[JEN CONFIRMING NAME]

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**Respondent Number:** 0057

**Name:** John Coxon

**Organisation:** Emery Planning

**On behalf of:** Wainhomes Ltd.

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**Rep. Number:** 5

**Local Plan Section:** 7.3

**Paragraph/policy** Policy 7.14 (2)

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:** Yes, I wish to participate in hearing session(s)

**Why?** To respond to the Inspectors questions and the Council's case/hearing statements. The evidence and issues are complex and require thorough interrogation

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

5. Section 7: Towns, Villages and Development Sites

South Brent

5.1 South Brent is identified as a Local Centre alongside Ashburton, Buckfastleigh, Chagford, Horrabridge, Moretonhampstead, Princetown, and Yelverton. This is the highest tier in the settlement hierarchy, and is supported. However, a broadly similar distribution is proposed between these settlements.

5.2 As per our response to Spatial Policy 1.4 (2), we consider that the Local Plan should plan for development based upon the capacity of specific settlements to accommodate development, particularly in terms of the impact on the National Park. Regard should be had to the availability of suitable sites to meet the need, which may be capable of addressing affordable housing needs extending beyond the particular settlement in question. We therefore consider that a higher level of growth should be apportioned to South Brent.

5.3 There are significant affordable housing needs in the village and its hinterland. A housing need assessment for South Brent was carried out in 2009. It identified a demand for 28 affordable homes within the village. That assessment underpinned the allocation of the site at Fairfield for residential development (ref: 7.16(2)). Revisions to the housing need assessment were undertaken in 2014, in advance of the Fairfield planning application (application reference: 0354/14). The update report concluded that there is a need to provide for 53 affordable homes for local people in housing need within South Brent over the 5 year period of 2014 to 2019.

5.4 The committed Fairfield site (ref: 7.16(2)) will fall some way short of meeting local the affordable housing needs. Of the 40 dwellings consented under application 0354/14, only 14 were affordable. Therefore there is a shortfall of affordable housing in the village of some 39 units at 2019, which is in addition to further need that will arise during the plan period. The allocated sites will fall somewhat short of meeting the requirement over the next 5 years, let alone the plan period.

5.5 New development at South Brent could also enable the delivery of other infrastructure. For example, there have been a number of previous proposals to re-open South Brent railway station. Indeed land for the railway station and car park is allocated in the adopted Local Plan (Proposals SBR2 and SBR3) and is proposed to be retained as an allocation in the Local Plan Review (Proposal 7.17(2)). However as far as we are aware the proposals do not benefit from funding. The allocation of additional housing land in South Brent could contribute planning contributions / CIL towards the re-opening of the railway station. Clearly the level of any contribution would depend upon the scale of development allocated and the level of other required contributions, and external funding would almost certainly still be required. Nevertheless, the Local Plan Review presents the opportunity to identify sites to fund this significant opportunity.

5.6 Our client is promoting the land south of South Brent for residential development. We have put forward details of the site in Section 6 of these representations. We consider that the site offers a deliverable option which could deliver much needed market and affordable housing, with negligible

impact upon the National Park owing to the location and characteristics of the site. It would therefore be logical for South Brent to accommodate a higher proportion of development, on the basis that housing needs can be met in this location with minimal impact upon the National Park.

Proposal 7.14 (2) Land at Palstone Lane(a), South Brent

5.7 We understand that the site is under option to South Hams District Council and is proposed for development by a Community Land Trust. A planning application has been submitted (LPA ref: 0147/19). The application is set to be determined at committee on 1 November 2019, with an officer recommendation of approval. In respect of the principle of development, the published committed report states:

"Whilst this is an exception site, the application has been 'caught up' by the review of the Local Plan, which identifies this site and an adjoining parcel of land for housing development. Whilst the emerging Local Plan does not at this point carry any notable weight, it would be unreasonable to ignore the emerging intentions of the Plan in this area.

This is therefore being treated as an exception site to meet an identified need for custom/selfbuild housing, in the context of an emerging allocation."

5.8 The justification for allocating the site in Topic Paper 9 is that the site:

"presents an opportunity for community-led custom/self-build housing on the northern portion of the site and discussions with landowners have advanced."

5.9 As we set out below, our client could look to include an element of community-led custom/selfbuild housing on part of the site at Noland Park. Consequently, we do not consider that the land ownership is a fair or reasonable reason to allocate this site in advance of our client's. Despite this, an application is being progressed and officers are giving weight to the emerging Local Plan. 5.10 It is also apparent that the allocation of the site does not accord with the available evidence base. Firstly, the selection of the site does not follow a logical and robust site selection process, as 16/078 was specifically discounted by the LAA on the grounds that access cannot be achieved. Paragraph 10.3 of Topic Paper 9 claims that "subsequent site visits and completion of the Cavanna site have established that access could be achieved." However, as we pointed out to previous consultation stages, access was not retained through the completed Cavanna development, and third-party land was required (and thus the site was not deliverable). Consequently, in the planning application for the site (LPA ref: 0147/19) access is taken directly from Palstone Lane, which is extremely narrow.

5.11 Secondly, the Landscape Sensitivity Assessment (LSA) 2017 assesses 3 parcels around South Brent. The land at Palstone Lane falls under parcel S2, which is deemed to have lower sensitivity for accommodating development than the parcels S1 & S2. The overall assessment states:

"The pockets of valued semi-natural wet grassland and woodland habitats, remnant medieval field patterns, and views across the landscape to Beara Common and the Dartmoor uplands increase sensitivity. However the gentle landform, large-scale field pattern, low density of overlying landscape features, lack of traditional field boundaries and the presence of modern development on the settlement edge, visual and auditory disturbance from the A38 reduces sensitivity to moderate-high overall. The fields to the south of the settlement/north of the A38 have lower sensitivity." (our emphasis)

5.12 The Council's own evidence base on an issue of critical importance to the National Park is therefore indicating that development to the south of the village would have less impact, and is therefore more suitable. Land to the south of the settlement also lies between the urban edge of South Brent and the A38, which forms the National Park boundary, whereas in comparison the Palstone Lane sites represent a prominent incursion into the wider countryside.

5.13 The only logical conclusion is that development to the south of South Brent would have the least impact on the National Park. It is therefore not clear justification there is for an allocation at Palstone Lane, which is not as well contained by the land to the south and would have a greater impact upon the National Park.

5.14 Notwithstanding the above, we consider that the land at Noland Park should come forward in addition to the Palstone Lane site, as it is evident that the proposed allocations at Fairfield and Palstone Lane fall significantly short of meeting identified needs within the settlement.

### **Modifications necessary to make the Local Plan compliant:**

#### **Authority response:**

The housing strategy of the Dartmoor local Plan is needs led, consistent with national policy, not capacity led.

The sites allocated in the Local Plan review will meet and exceed the affordable housing need requirement identified in the last housing needs assessment, which was actually undertaken in 2014.

Land for 85 houses is identified in the plan with approximately 46 of these being affordable. Together with the existing site at Fairfield which delivered 14 affordable homes, this suggests the need identified will be met and that the level of growth proposed in the plan is sufficient.

It is noted that the representation promotes an allocation in addition to the land identified for South Brent in the Local Plan. The land identified in the Local Plan (Proposal 7.15) is considered to be deliverable and achievable, evidenced through the proposal coming forward in the first part of the site (a). This proposal retains two access options to rest of site, recognising the most appropriate to be through the adjoining development. The proposed modifications sought through the representation are unclear, with the representation suggesting a capacity of the site of 300 dwellings, significantly exceeding the identified housing need, and suggesting contributions towards railway infrastructure, public open space. The suggestions "Wainhomes is committed to achieving exemplary design and would consider bespoke design options for the development of this site" provides little re-assurance around quality of design, where within a National Park context bespoke design should not be 'considered' but fundamental to achieving a good quality scheme. Whilst a significant holding has been proposed through the LAA and representation, a smaller scale proposal is now mooted but not described, thus the viability of this, or its genuine desirability for the developer is unclear. Furthermore given the level of need identified the additional development site is not considered to be required. The representations consider of the site assessment is based upon a large scale development as put forward through the LAA process, giving a site which in respect of yield and impact would be unacceptable as described in in the Development Sites Topic Paper, and the SA.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0131

**Name:** Hazel Jones

**Organisation:**

**On behalf of:**

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**Rep. Number:** 31

**Local Plan Section:** 7.3

**Paragraph/policy** Policy 7.13 (2)

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

p144 It seems likely that the prison will be closed within the tenure of the Plan. In which case considering the central location within the Park, policies need to be in place for the redevelopment, especially with regard to restrictions on lighting.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

Policy 7.13 (2) sets out what would be expected of a development proposal were a proposal to come forward at HMP Dartmoor.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0131

**Name:** Hazel Jones

**Organisation:**

**On behalf of:**

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**Rep. Number:** 30

**Local Plan Section:** 7.3 **Paragraph/policy** Map

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

p139 Data on map 7.3 eg where is the school? Orientation? Does arrow signify north? All maps when on line should be updated immediately as the information is made available by the OS.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

Schools are not mapped on the inset map, they are not generally considered a planning constraint.

The arrow indicates north.

Online mapping is updated as when updates become available.

**Authority proposed action:**

None proposed.



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**Respondent Number:** 0130

**Name:** Emma James

**Organisation:** Okehampton Town Council

**On behalf of:**

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**Rep. Number:** 14

**Local Plan Section:** 7.3

**Paragraph/policy**

**Is the Local Plan sound?:** Yes

**Is the Local Plan legally compliant?:** No

**Is the Local Plan compliant with the duty to co-operate?:** Yes

**Hearing session(s)?:** No, I do not wish to participate in hearing session(s)

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

Page 6 Bullet points 5 & 6

This is in accordance with Okehampton Town Council local initiative group. The council acknowledges and welcomes this point. Unfortunately, Okehampton is lacking the employment infrastructure, thereby residents still need to travel to Exeter for employment.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

**Authority proposed action:**

None proposed.



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**Respondent Number:** 0057

**Name:** John Coxon

**Organisation:** Emery Planning

**On behalf of:** Wainhomes Ltd.

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**Rep. Number:** 7

**Local Plan Section:** 7.3

**Paragraph/policy** Proposal 7.17 (2)

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:** Yes, I wish to participate in hearing session(s)

**Why?** To respond to the Inspectors questions and the Council's case/hearing statements. The evidence and issues are complex and require thorough interrogation

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

Proposal 7.17 (2) Land at Station Yard

5.20 We support the proposed allocation. However we question whether there is any realistic prospect of the rail station being re-opened on the basis of the plan as currently drafted. We have previously suggested that options are explored for increasing the quantum of development in South Brent with a view to attracting S106 or CIL contributions towards delivering the re-opening of the rail station.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

There is not prospect of the station being re-opened in the short term. The re-opening of a station at South Brent would have both practical challenges, as well as a larger context around travel times (for example from Plymouth to London). However this land is the only prospect for South Brent having main line rail access, if the land is developed this opportunity will be lost and the principle of safeguarding the site is supported.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0184

**Name:** Andrew Kirby

**Organisation:** Andrew Kirby Architects Ltd.

**On behalf of:** David Booth (Landowner)

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**Rep. Number:** 0

**Local Plan Section:** 7.3

**Paragraph/policy** Proposal 7.7 (2)

**Is the Local Plan sound?:** Yes

**Is the Local Plan legally compliant?:** Yes

**Is the Local Plan compliant with the duty to co-operate?:** Yes

**Hearing session(s)?:** Yes, I wish to participate in hearing session(s)

**Why?** We consider our proposals for the site and policies would be beneficial to the hearing.

**Did respondent comment on Reg 18 Local Plan?:** No

**Detail of representation:**

Land off Lamb Park – Representation to Dartmoor National Park Local Plan

1 November 2019

AK.A Ref 1904/LOC/AK/ak

Site Background

This representation to the Dartmoor National Park Local Plan Review is made on behalf of David John Booth and Linda May Booth, owners of Land at Lamb Park, Chagford extending to 4.46 acres 1.29 HA - edged red on the attached plans – Ref 1904 001 and 004.

The proposal supports the allocation of the land for up to 40 homes of which not less than 45% of the site will be developed as affordable housing to meet identified local need. It is intended that the entire site will come forward as a custom build housing scheme. The affordable part of the scheme will be delivered working in close collaboration with Chagford Community Land Trust, representing Chagford Community.

The site is located in a sustainable location within easy walking distance of Chagford Primary School and the centre of the town. The site is accessed through Lamb Park via an existing adopted highway and land over which the owner has retained vehicular access rights. A vehicular access design assessment has been completed which confirms capacity of the road network and road design.

The site is easily connected to services with an adopted South West Water sewer running through the site.

Ecological surveys have been completed which confirm ecological impact can be satisfactorily mitigated.

Local Plan Policies & how the development of the Lamb Park site will be delivered in accordance with these policies

Custom and Self Build (Policy 3.6 (2))

It is proposed that the entire site will be developed as a custom build housing scheme in accordance with Policy 3.6 (2). This provides a unique opportunity for Dartmoor National Park Authority to play a central role in delivering a custom and self- build housing scheme within a key settlement within the Park and contribute towards meeting requirements set out in the Self-Build and Custom Build regulations. As endorsed in the draft local plan, custom and self-build provide multiple benefits including housing being more affordable to build, encouraging people to stay in their home longer, and leading to a greater variety & quality of house design, including the integration of low energy and sustainable design principles.

These benefits are recognised and supported.

The protection of Local need custom build housing delivered on the site (to ensure occupation by a local person or local families) through S106 agreement is supported.

#### Meeting Housing Need (Policy 3.1 (2))

The site will deliver up to 40 units, comprising a mix of both affordable & open market housing responding to community identified housing needs. A preliminary layout is attached to this submission which demonstrates the capacity of the site. The development will comprise a variety of house types & sizes which enable & encourage younger families to live & work in the community. 45% of the units will be delivered as affordable custom build units, occupied by eligible households and the remainder will be delivered as custom build market housing, targeting local purchasers from within Dartmoor National Park.

Affordable custom build housing for sale will provide an opportunity for local working families, who would not otherwise be able to afford to purchase a house, to buy their own home at a genuinely affordable price (targeting less than 60% of the open market value of the property).

A needs survey identifying local need of custom build affordable housing will be undertaken which will provide the basis of the development mix, housing type, size and phasing plan. This will ensure that the scale of the development is appropriate to meet an identified local housing need (current or forecast) and makes best use of Dartmoor's limited land supply.

It is envisaged that there will be close collaboration with Chagford Community Land Trust which will play an important role in identifying need, shaping the mix of new housing and the process of allocating homes to occupants.

#### Size & accessibility of new homes (Policy 3.2(2))

The design of the proposed scheme will ensure that custom build units are modest & commensurate with the needs of local communities. Nationally described technical housing standards will be used to benchmark housing sizes & ensure all new affordable units and open market housing are not excessively large.

The development will be designed to deliver "Lifetime Homes" standards as well as being accessible and adaptable for ageing residents in accordance with proposed policy.

Housing will be built to Passivhaus standard, utilising innovative methods of construction, which will have the affect of reducing running costs. Building with Nature design practice will be deployed providing net-gain environmental benefit in accordance with the Park Authority's good practice guidelines.

#### Development Approach

It is proposed the development at Lamb Park will come forward in response to demonstrable need for custom build affordable housing and local needs housing. The proposed approach will be through outline planning permission covering the access and layout for a site in combination with a detailed "Design Code" which would provide a clear template of design and environmental standards under which the site would be developed out to the expected standards.

Planning permission will be sufficient to allow the construction of all of the necessary roads and services infrastructure such that "Serviced Plots" (i.e. a plot with legal access to a public highway and a supply of water, foul drainage and electricity ready for connection at the plot boundary) can be sold. Plot buyers would be responsible for obtaining detailed planning permission under reserved matters working within the approved Design Code. It is proposed the Custom Build Affordable Housing will be brought forward through Chagford Community Land Trust.

The Design Code will establish the design parameters of the development. It will encapsulate all of the important design requirements across the site such as plot form, building form, building orientation, density, developable footprint, building lines, building types, street network, views & vistas, energy and environmental standards, soft landscape and building materials.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0115

**Name:** Timothy Garratt

**Organisation:**

**On behalf of:**

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**Rep. Number:** 1

**Local Plan Section:** 7.3

**Paragraph/policy** Proposal 7.8 (2)

**Is the Local Plan sound?:** Yes

**Is the Local Plan legally compliant?:** Yes

**Is the Local Plan compliant with the duty to co-operate?:** Yes

**Hearing session(s)?:** Yes, I wish to participate in hearing session(s)

**Why?** I am not certain that the small amount of space given in this form, to make the case, enables it to be adequately understood without verbal explanation.

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

On balance those parts of the plan that concern me as a resident and property owner in the area look sensible, in the main, and many paragraphs are a distinct improvement on previous Local Plans.

However, on the question of the paragraphs and sub-paragraphs to which I referred above, there is a fundamental flaw in the reasoning behind the proposal.

**Modifications necessary to make the Local Plan compliant:**

"The proposal as drafted requires the developer of the existing Chagford Market site, as a site for light industrial use, to "enable" improvements to foot and cycle traffic between Chagford residential area and the site at Crannafords.

The requirements of sub paragraphs a and b look to be capable of compliance. However, given the alignment and characteristics of the unclassified main road into Chagford, the lack of any sort of verge for most of its length, the myriad ownerships of adjoining land and the presence, intermittently along the roadside, of a number of private houses, the provision of the required facilities appears impossible of implementation. Even with compulsory powers, by the time necessary land acquisitions have been made and the work undertaken, it is doubtful whether there would be any funds remaining to deliver the development of the site, given the necessity also of providing foul drainage, bunded surface water drainage and other services.

In any event, the development should extend to the whole of the land (including the back land) in this ownership, instead of being restricted to the roadside field, for two reasons:-

1. Leaving the back area undeveloped will leave it landlocked, in that any access through the proposed development, that would be necessary, would create difficulties in gaining maximum utility of the developed area. The back area, which is erroneously described in the SHLAA as "grazing land", is in fact part of the existing market site and, as much as the market is currently used as such, is a part of the market area, as will be readily seen on any market day. The only difference is that the back area is currently unpaved.

2. Unless the developed area is enlarged to include the back land, and bearing in mind the requirements for basic infrastructure improvements and installations (even disregarding the removal of "condition c"), there will be no economic incentive for the land to be brought forward for development because of the heavy share of infrastructure cost which each unit would be burdened with. In any event, without the development of the back land, there will be insufficient developable land to meet the local demand for such employment opportunities. It is thought that almost all the land currently allocated in the proposed plan is likely to be taken up by the existing motor engineering businesses that are currently sited in the Crannafords Estate and which, self evidently, are so cramped for space that they cannot function efficiently. The recent and current development of c.100 houses in the Bellacouch area of Chagford necessitates a corresponding suitable area for many of those residents to conduct businesses. If local Chagford residents have to travel to other centres for their employment, the provision of extra housing to encourage more local residents for the purpose of trading with local shops will have been totally negated.

This was a part of the Village Design Statement which promoted the Bellacouch Development in the first place, and was why that development received such widespread local support when first proposed. Additional documents, mainly supporting plans, will be forwarded by separate cover.

"

**Authority response:**

The greenfield land to the rear of the site has been excluded from the allocation because development has not been justified on this part of the site. Development of the industrial site is justified because it is a brownfield site and there is significant potential for improvement. The land to the rear is not brownfield and has a rural character consistent with the National Park. This does not prevent a future proposal bringing forward a development which included adjacent greenfield land, provided it was justified and complied with relevant policies, particularly non-residential business and tourism development (Strategic Policy 5.1) and landscape character (Strategic Policy 2.1). However, justification for development has not been demonstrated at the allocation stage.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0046

**Name:** Corine Dyke

**Organisation:** Natural England

**On behalf of:**

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**Rep. Number:** 7

**Local Plan Section:** 7.3 **Paragraph/policy**

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:**

**Detail of representation:**

South Hams SAC Para 4.29 states that mitigation measures are in place to address potential impacts of Dartmoor Local Plan on loss or fragmentation of supporting habitats for greater Horseshoe bats (associated with the South Hams SAC) but that some uncertainty remains until further studies are undertaken at the project level. For this reason we advise that the need for project level surveys is referred to in relevant site specific policy as set out below.

☐ Proposal 7.3 (1) Land at Longstone Cross, Ashburton We advise that the policy makes clear that as well as a Habitats Regulations Assessment, a reliable and comprehensive bat survey will also be required to be submitted with the application in this location.

☐ South Brent – We advise that policy for all South Brent development sites should make clear that development proposals will be assessed on their potential impacts on greater horseshoe bats (informed by supporting bat surveys), in line with the emerging South Hams SAC SPD.

☐ Buckfastleigh - We would like to emphasise the sensitivity of development sites in and around Buckfastleigh/Buckfast . Whilst allocations at Buckfastleigh are relatively minor, any development in this location has the potential to result in adverse effect on the integrity of a European site and upon greater horseshoe bats. As Buckfastleigh has the most important roost for greater horseshoe bats in North West Europe, all development proposals will need to be underpinned by reliable and comprehensive survey (based upon local guidance and best practice). We advise that this requirement is set out in site specific policy.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

All policies allocating sites in the South Hams SAC Landscape Connectivity Zone state a requirement for sufficient evidence to be provided to inform an appropriate assessment.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0187

**Name:** Simon Collier

**Organisation:** Collier Planning

**On behalf of:** Baker Estates Ltd.

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**Rep. Number:** 6

**Local Plan Section:** 7.3

**Paragraph/policy** Policy 7.12 (2)

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

Proposal 7.12 (2)

Proposal 7.12 (2) proposes to carry forward the allocation of land at Thompson's Haulage Depot, Moretonhampstead, which is already allocated under Policy MTN2 of the adopted Development Management and Delivery Plan.

However, the proposed draft allocation differs from Policy MTN2 in the following ways:

- it refers to "around 26 homes" but no justification for this number is provided. The inclusion of this arbitrary figure makes the policy unnecessarily prescriptive and we recommend that this is removed from the draft text. The existing wording which states that development be of an appropriate density is sufficient.

- it states that not less than 45% must be affordable housing to meet identified local needs.

This completely ignores the potential application of VBC on the site which has been discussed with officers during the consideration of the current planning application. This is not consistent with national policy and we recommend that the text is amended to allow for this requirement to be reduced if justified by the application of VBC. • it states that development should "provide a link to the Wray Valley Trail" rather than "allow for the provision" of such a link. The change in the wording is not justified because compliance with it would require land outside of the allocation boundary and in separate ownership.

The draft policy proposes to retain the requirement to "conserve and enhance the site's railway heritage, sensitively incorporating the goods shed and platform". This relates to undesignated heritage assets, the retention of which significantly compromises the ability to achieve a high quality design and layout of housing on the site. NPPF paragraph 124 states that the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve, good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Paragraph 127 states that planning policies and decisions should ensure that developments are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change. We recommend that more flexibility is introduced to the policy, which could still require the site's railway heritage to be reflected in development proposals, without requiring the goods shed and platform to be retained if it could be demonstrated that doing so would result in an inferior design and layout. Such a change would be consistent with the NPPF reference identified above.

Draft local plan paragraph 7.1.10 states that

"allocations may include specific requirements, such as a level of affordable housing, or infrastructure, which should be provided as part of development on the site. These are



summarised in the Site Briefs published alongside this Plan. These should be read alongside the relevant policies within this Local Plan”

We note that a Site Brief is described as a planning advice note which accompanies the Local Plan and does not set new or additional requirements for the site. It is described as “a summary of key considerations for the site drawn from existing sources and should be read alongside the Local Plan”. Nevertheless, the comments set out in these representations are also relevant to the Site Brief for Thompsons Yard.

We trust these representations will be given careful consideration and, in any case, will accompany the submission of the draft Plan for examination.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

Justification for the approximate site capacity is provided in section 8.1 of the Housing Topic Paper. The site capacities stated are indicative and provide communities with some comfort as to the scale and density of development that is expected on sites, the figures are not absolute and are subject to change informed by detailed design.

DNPA have decided not to include reference to vacant building credit in the allocation policy. This is because the Authority felt it inappropriate to predetermine any application for vacant building credit and allow for this to be analysed thoroughly through a planning application. For example, if circumstances changed after adoption of the policy and before permission was granted, and the buildings came back into use, the policy would be incorrect and would undermine DNPA's priority for affordable housing. As it is the policy does not prevent the applicant claiming vacant building credit, but establishes the expectation that all allocated sites should start from the basis that they should seek to support affordable housing delivery.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0048

**Name:** Andy Stokes

**Organisation:** Buckfastleigh Town Council

**On behalf of:**

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**Rep. Number:** 26

**Local Plan Section:** 7.3

**Paragraph/policy** 7.3.4

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

Devonia. We note with regret that the landowner has withdrawn the previously allocated site at Devonia Sheepskins in the centre of the town. As a large, perfectly situated, brownfield site at the heart of the town, approved for mixed development, on which we had commissioned a Site Design and Planning Options Study, this could provide all our potential housing needs as well as offering a vibrant business, leisure and tourist hub. We hope that the site will again be resubmitted for consideration and this will receive our whole-hearted support.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0057

**Name:** John Coxon

**Organisation:** Emery Planning

**On behalf of:** Wainhomes Ltd.

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**Rep. Number:** 8

**Local Plan Section:** 7.3

**Paragraph/policy**

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:** Yes, I wish to participate in hearing session(s)

**Why?** To respond to the Inspectors questions and the Council's case/hearing statements. The evidence and issues are complex and require thorough interrogation

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

6. Proposed allocation: Noland Park, South Brent

6.1 Wainhomes is proposing the land at Noland Park as an allocation for residential development, either across part or the whole of the site. The proposed housing would include the full policy requirement of affordable housing, and as part of that our client could look to include an element of community-led custom/self-build housing on part of the site. A small quantum of employment land could also be delivered as part of a mixed-use development.

6.2 In addition, there are potential community benefits that could be achieved due to the scale of the land under the control of Wainhomes, for example the potential to deliver land for community use such as new playing fields or re-located allotments.

6.3 We set out further details of the site and respond to the Council's evidence base below.

The site

6.4 The site is located to the south of South Brent, north of the A38. A site location plan is appended at EP1. The site is under the control of Wainhomes, and is being promoted for residential development.

6.5 The site comprises approximately 12ha. It is bounded by residential development to the north, Kerries Road to the east, the A38 to the south, and the South Brent Waste Water Treatment Works to the east. The site is very well contained by the village to the north and the A38 to the south.

6.6 The site itself comprises 5 fields which appear to be used for agriculture (grazing). The fields are subdivided by hedgerows. There is a frame structure which can be seen looking west from Kerries Road, but the majority of the site is undeveloped.

6.7 The site is assessed within the LAA under 2 parcels:

☐ Land at Corn Park and Crowder Park, South Brent (ref: DNP14/078) – The site is identified as suitable, available and achievable, with a capacity of approximately 125 dwellings including 63 dwellings in years 1-5. In terms of constraints, the only issue identified is the need for noise mitigation due to the presence of the A38.

☐ Roseland, Corn Park, South Brent (ref: DNP14/079) – This site forms part of DNP14/078 (the second most westerly field). The capacity of this site is identified as 12 dwellings. Impact on the landscape / National Park

6.8 The National Park boundary runs along the A38. The site lies just within the National Park, but is enclosed by permanent development and road infrastructure on all sides. As such the site makes very little contribution to the landscape and scenic beauty of the wider National Park to the north of the A38.

6.9 As set out in our response to the proposed allocations at Palstone Lane, the LSA 2017 assesses 3 parcels around South Brent. The land at Palstone Lane falls under parcel S2, which is deemed to have lower sensitivity for accommodating development than the parcels S1 & S2. The overall assessment states:

"The pockets of valued semi-natural wet grassland and woodland habitats, remnant medieval field patterns, and views across the landscape to Beara Common and the Dartmoor uplands increase sensitivity. However the gentle landform, large-scale field pattern, low density of overlying landscape

features, lack of traditional field boundaries and the presence of modern development on the settlement edge, visual and auditory disturbance from the A38 reduces sensitivity to moderate-high overall. The fields to the south of the settlement/north of the A38 have lower sensitivity.” (our emphasis)

6.10 The LSA therefore clearly identifies that the fields to the south of the village (i.e. Noland Park, site refs: DNP14/078 & DNP14/079) have lower sensitivity and are therefore more suitable for accommodating development.

6.11 Land to the south of the settlement also lies between the urban edge of South Brent and the A38, which forms the National Park boundary. The only logical conclusion is that development to the south of South Brent would have the least impact on landscape and also the National Park. This should have been a critical consideration in determining which sites to allocate in the plan.

#### Scale of development / local character

6.12 Section 10.4 of Topic Paper 9 sets out the following in relation to the site:

“The scale and extent of the areas put forward is out-of-keeping with the local growth requirements for South Brent, and delivery of SBR1 has substantially addressed local housing need. Development here would would [sic] not reinforce the local character of the town, and a large new estate in this area would add further suburban character.”

6.13 There is no justification for this conclusion. Taking each point in turn: The need for affordable housing in South Brent is at least 50 units over the period 2014-2019 alone. The proposed allocations would not meet this need. In fact, there would be a substantial shortfall.

□ Any concerns in relation to the scale of the site could be overcome through a smaller allocation of part of the site only, potentially alongside land which would be set aside for community benefit.

□ Wainhomes is committed to achieving exemplary design and would consider bespoke design options for the development of this site to complement and reinforce local character. As set out above, our client could look to include an element of community-led custom/self-build housing on part of the site.

□ It is not clear why these negative impacts would be realised if the land at Noland Park was developed in comparison to other options.

6.14 We also note the comment at page 47 of Topic Paper 9 that:

“The SEA noted that Corn Park sites would alone or in combination bring the settlement to the A38 which will negatively impact the village’s identity.”

6.15 As we have set out in our response to the Sustainability Appraisal in Section 7 below, it is not clear why the ‘erosion of the gap’ between the settlement and the A38 is considered to have a negative effect on the settlement’s character or identity, when the Sustainability Appraisal acknowledges that “the identity of South Brent is defined by the A38 to the south...”

#### Potential community benefits

6.16 As set out above, the proposed housing would include the full policy requirement of affordable housing, and as part of that our client could look to include an element of community-led custom/self-build housing on part of the site.

6.17 In addition, there are potential community benefits that could be achieved due to the scale of the land under the control of Wainhomes, for example the potential to deliver land for community use such as new open space or re-located allotments. There is very little open space in the south of the settlement<sup>5</sup>, and this site could help to address this spatial imbalance.

#### Site capacity

6.18 The LAA indicates a capacity of 125 units. The LAA identifies a minimum yield of 92 units, and a maximum yield of 157 units. We are advised that the capacity of the site could be up to approximately 300 dwellings, with potential for employment land. However subject to the amount of housing to be distributed to South Brent, the site could be brought forward in part or in different phases, with the eastern-most fields accessed off Kerries Road forming a potential allocation in the Local Plan. As set out above, other parts of the site could be brought forward for community uses such as playing fields.

#### Delivery

6.19 The site is under the control of a housebuilder with a track record of delivery in the local. The site is viable and could be delivered in the early years of the plan period. We consider that there is significantly less certainty around the Palstone Lane site, as third party land may be required for access, and funding sources for the Community Land Trust are not known.

6.20 Topic Paper 9 states the following in relation to delivery on the site:

“The Corn Park sites north of the A38 appear to form part of a single farming operation (grazing) in multiple ownerships and it is not clear how development on part of the area will impact agricultural use.”

6.21 In response, there are presently two access to the site. If only part of the site is developed (and the remainder is not used for community uses) it would be relatively straight forward to retain an access, or incorporate a new agricultural access through to land, which would remain viable for grazing.

#### Highways and transportation

6.22 We have previously provided a Technical Note on highways to the Council. This is appended at

EP2. This addresses highway and transportation matters related to the proposed development of the site, including detailed plans setting out potential access arrangements. The report concludes that there are no highways or transportation issues that would prevent the site being developed. The site is very well located to access employment, schools and local facilities.

#### Ecology

6.23 An Extended Phase 1 Habitat Survey was undertaken in May 2017. This has informed the preparation of an Ecological Constraints and Opportunities Plan, a copy of which is appended at EP3. The document is advisory and recommends that further survey work is undertaken to inform a planning application. However, no significant constraints are identified which could not be considered, addressed and mitigated at the planning application stage.

#### Affordable housing / viability

6.24 We note that the land at Palstone Lane has the involvement of a Community Land Trust. The site at South Brent would include the full policy requirement of affordable housing, and as part of that our client could look to include an element of community-led custom/self-build housing on part of the site. Indeed such a solution may be eminently more deliverable given the comparative lack of constraints and the backing of an experienced developer.

6.25 There will clearly be concern as to whether site allocations can deliver the full policy requirement for affordable housing, given that site SBR1 in South Brent was allocated on the basis of it providing 50% affordable housing, but only 35% was provided through application 0354/14. Wainhomes has undertaken an internal development appraisal which confirms that the full level of affordable housing provision is viable. We would be happy to provide further financial information confidentially to prove that this is the case, and to provide security that affordable housing contributions will not be contested in the future. Wainhomes would also consider emerging models of housing delivery on the site, such as starter homes.

6.26 In conclusion, we consider that the site offers a deliverable option which could deliver much needed market and affordable housing, with the least amount of impact upon the National Park owing to the

#### **Modifications necessary to make the Local Plan compliant:**

#### **Authority response:**

The affordable housing need identified in the representation is not accurate, having not taken into account the met need, and proposals coming forward within S Brent. The sites allocated in the Local Plan review will meet and exceed the affordable housing need requirement identified in the last housing needs assessment, which was actually undertaken in 2014. Land for 85 houses is identified in the plan with approximately 46 of these being affordable. Together with the existing site at Fairfield which delivered 14 affordable homes, this suggests the need identified will be met and that the level of growth proposed in the plan is sufficient.

DNPA assessed this proposed site on the basis of the land submitted through the LAA and the representations seeking a larger scale of development on the basis of arguing a higher level of need. The proposed modifications sought through the representation are unclear, with the representation suggesting a capacity of the site of 300 dwellings, significantly exceeding the identified housing need, and suggesting contributions towards railway infrastructure, public open space. The suggestions "Wainhomes is committed to achieving exemplary design and would consider bespoke design options for the development of this site" provides little re-assurance around quality of design, where within a National Park context bespoke design should not be 'considered' but fundamental to achieving a good quality scheme. Whilst a significant holding has been proposed through the LAA and representation, a smaller scale proposal is now mooted but not described, thus the viability of this, or its genuine desirability for the developer is unclear. Furthermore given the level of need identified the additional development site is not considered to be required. The site assessment is based upon a large scale development as put forward through the LAA process, giving a site which in respect of yield and impact would be unacceptable as described in in the Development Sites Topic Paper, and the SA. DNPA notes that whilst the respondent has referred to developing only 'part' of the site, no smaller proposal has been provided, it would be self-evident from the Developers current construction portfolio, which in the SW currently ranges from around 105-165 dwellings (around 4-8ha in size) that it would be a significant shift in its business/development model to deliver on an allocated site in the National Park, which is typically around 20-40 units.

#### **Authority proposed action:**

None proposed



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**Respondent Number:** 0110

**Name:** barry hocken

**Organisation:**

**On behalf of:**

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**Rep. Number:** 1

**Local Plan Section:** 7.3 **Paragraph/policy**

**Is the Local Plan sound?:** Yes

**Is the Local Plan legally compliant?:** No

**Is the Local Plan compliant with the duty to co-operate?:**No

**Hearing session(s)?:** No, I do not wish to participate in hearing session(s)

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

Whilst the Planning Authority have carried out their duty to consult with both residents and local representatives in this instance the local parish council had carried out an extensive survey and subsequent analysis covering many local issues.

Consulting and listening are two very separate skills and here the DNP are ignoring significant local opinion particularly on the types of local housing required.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

DNPA has sought to incorporate views during the various consultation periods. Importantly, a local plan is based upon evidence, taking into account views and opinion as part of that evidence. It is unclear from the representation what modifications would be proposed in order to better reflect local opinion, and whether there is evidence to support an alternative approach, or whether it is opinion only.

**Authority proposed action:**

None proposed.



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**Respondent Number:** 0050

**Name:** David Seaton

**Organisation:** PCL Planning

**On behalf of:** Dean Court Business Partnership

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**Rep. Number:** 1

**Local Plan Section:** 7.3 **Paragraph/policy**

**Is the Local Plan sound?:** No

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

In relation to the current regulation 19 consultation that is being carried out by the Council, and on behalf of our clients Dean Court Business Partnership we are, in broad terms, supportive of the attempts that the National Park Authority are making to grapple with the need to provide for meeting the social, housing and economic needs of the National Park.

We do wish to highlight the importance of Government policy that should guide how those needs are addressed. In particular the policy that:

'Great weight should be given to conserving and enhancing landscape and scenic beauty in National parks,' (NPPF, paragraph 172).

This matter (the '172' policy) has, importantly, been raised by the Inspector's dealing with the adjacent Plymouth and South West Devon Joint Local Plan (JLP, please see their post hearing advice note EXC15, copy attached). Those Inspectors have, where possible, sought to protect against visual impacts upon the South AONB.

It is inevitable, when making provision for community needs within the National Park boundaries, that there is likely to be some detrimental impact upon the landscape and recreational opportunities that the National Park designation seeks to protect (NPPF, paragraph 172 c). We consider that it is important that the plan making process takes the opportunity to minimise those detrimental impacts, where possible.

Bearing that imperative in mind it's worthwhile considering the proposed settlement strategy of the plan. The settlement strategy seeks to accommodate development in the larger settlements within the plan area. We consider that this is appropriate. Of those settlements it is those that lie closest to the A38 corridor that generally offer some of the lowest qualities in terms of landscape, compared with the rest of the National Park. This is fortuitous, and enables homes to be located, where services are greatest, where job opportunities are greatest, and where sustainable transport connections to higher order settlements (that inevitably lie outside the DNP boundary) are best. As a settlement Buckfastleigh is probably THE settlement that provides the greatest employment opportunities for DNP residents and has the best connectivity to higher order settlements (via sustainable modes). We therefore consider that there is a strong case to provide increased housing numbers at Buckfastleigh, over and above the level proposed in the first draft plan).

We also consider that it's important to also undertake the exercise undertaken by the Inspectors considering that JLP; that is to review the allocations and commitments that affect the AONB [National Park in this case]. In accordance with Government policy it is imperative to seek to minimise the detrimental impact of proposals upon the landscape and recreational virtues of the National Park. In our



opinion, at Buckfastleigh, there is a clear opportunity to achieve this. Existing allocations have, to date, failed to come forward and are located in visually intrusive locations that are poorly related to jobs and services both in the town and wider afield and are only accessible via constrained road connections. Proposals 7.6 of the first draft review is, in our opinion, a site that suffers from these criticisms.

Finally, we are aware of planning applications that have either been made, or may well be made in the near future, on sites at Buckfastleigh. In our opinion it makes no sense to prejudice the plan review and those applications should, in our opinion, either be refused, or not determined, until the review of existing allocations/commitments has been completed.

Therefore, we must object to the plan and request the opportunity to be invited to attend relevant examination sessions in due course, in order that unnecessary and avoidable harm to the landscape qualities of the DNP is avoided.

**Modifications necessary to make the Local Plan compliant:**

On behalf of our clients (Dean Court Business Partnership) we have proposed (via the Development Brief document dated August 2018 that is attached) the allocation of land to the rear of Timbers Road, Buckfastleigh. As that document demonstrates this site is:

- Not visually intrusive
- Well located in relation to jobs and service
- Capable of providing new recreational opportunities

In our opinion this site produces much lesser visual impacts upon the AONB, and upon the constrained road network of Buckfastleigh than any other potential site, and is much better related to the town centre and the public transport network, than any other potential site.

**Authority response:**

It is noted that the settlement strategy is welcomed. This strategy seeks to focus development not just in the most sustainable locations, but to respond appropriately and proportionately to the identified need, recognising that development should come forward only where there is an identified need for affordable housing. It is not considered reasonable to skew the identification of land in favour of some areas other than where this is to meet a clearly identified need. Whilst some settlements may have a greater number of sites which may be more achievable, development beyond the level of need would be contrary to the NPPF, and National Park Circular, which recognise the scale of development within a National Park will be limited. Currently, the sites identified are achievable, though it is noted this is currently being tested through the development management process.

**Authority proposed action:**

None proposed

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**Respondent Number:** 0058

**Name:** Marcus Salmon

**Organisation:** Environment Agency

**On behalf of:**

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**Rep. Number:** 14

**Local Plan Section:** 7.3

**Paragraph/policy** Proposal 7.4 (2)

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

Section 7 – Towns, Villages and Development Sites

For Proposal 7.4 (Chuley Road, Ashburton) it needs to be made clear that a strategic solution to managing flood risk is needed for the whole allocation, informed by a masterplan and SFRA level 2, rather than by adopting a plot by plot approach. The proposal must seek to reduce flood risk overall in the area, which requires a strategic approach for the whole allocation. This could involve contributions to NFM works upstream of the proposed allocation. The consequence of not doing this could result in one plot undermining the ability of another to manage or reduce risk adequately.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

I principal, DNPA agrees that a strategic approach to development of this area is preferable. DNPA sought to achieve this through a Masterplan process for the entire site (a process which included an FRA and flood options for the site, with the close engagement of the Environment Agency in respect of evidence, and options). However the complexity of the landownerships, the small parcels of land owned in some cases, the mix of risk across the site, considered in the context of values and scale which do not overallly support a land assembly or value equalisation approach, mean that decision was reached to consider opportunities on a case by case basis. Indeed this may mean that some parcels of land may not currently be appropriate for redevelopment. Some are, and where development proposals come forward they must be supported by appropriate evidence of flood risk, and provide the necessary on site, up and downstream protection. In summary, the comprehensive approach identified and pursued in the current development plan is not considered achievable, and a more open approach to options, with a clear need for FRA and appropriate mitigation is considered to be the most reasonable approach for the site.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0048

**Name:** Andy Stokes

**Organisation:** Buckfastleigh Town Council

**On behalf of:**

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**Rep. Number:** 25

**Local Plan Section:** 7.3

**Paragraph/policy** Policy 7.5 (2)

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

7.5.1 Land at Barn Park, Buckfastleigh (p132)

The conclusions of the nascent Neighbourhood plan consultation suggest that this allocation be withdrawn on the following basis:

- **Privacy** – The site is on a steep slope facing down and towards the existing properties in Barn Park which, from having a view out to open fields and woodland, will now be completely overlooked by new housing. The development will be visible from a large part of the Town where there are currently green fields, trees and hedgerows
- **Flood risk** – There is great deal of concern about the risk of localised flooding. There is at least one spring on the site and currently at times of high rainfall, gardens become saturated with run-off from the slope. With the creation of an impermeable surface on most of the site this could cause more run-off and thus more risk of localised flooding. Any run-off would flow towards the centre of town, risk further overloading of already strained drainage systems and into areas that are already at high risk of flooding.
- **Transport and Access** – Access from Barn Park and therefore the site towards the Town Centre is via Jordan Street or via Wallaford/Bossell/New Rd. Both Jordan Street and New Road are narrow, residential roads with only room for traffic to travel one-way at a time and very narrow footpaths on only one side, necessitating pedestrian ingress onto the roadway and frequent traffic blockages and reversing as well as sometimes complete inaccessibility to emergency vehicles.
- **Biodiversity** – We understand that this is a foraging ground for Greater Horseshoe Bats (GHB) and data for the site is out-of-date. In the last year, local populations of GHB have soared and data available to Natural England is currently insufficient and inadequate to inform the planning process. Buckfastleigh Town Council are taking a proactive role and are currently hosting a forum for all parties with an interest in local GHB populations, with the aim of rectifying this knowledge gap.  
...as well as more general concerns about inadequate public transport, services, shops, youth provision etc. and the fact that it is a greenfield site outside the current built perimeter of the town.

We understand that this site originally had the backing of a previous incarnation of the Town Council for allocation on the basis that it was to be 100% social housing. We would reconsider our position if this requirement was reinstated.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

There is a current planning application on this site. The issues identified form part of the application, and the ability to overcome such issues will therefore be considered as part of the process.

**Authority proposed action:**

None proposed.



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**Respondent Number:** 0049

**Name:** Mike Deaton

**Organisation:** Devon County Council

**On behalf of:**

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**Rep. Number:** 12

**Local Plan Section:** 7.3

**Paragraph/policy** Proposal 7.4 (2)

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

This revised draft of the plan now includes the development scale (particularly number of dwellings) in the policies for the majority of the allocations. It is noted however that Proposal 7.4 (2) Land at Chuley Road does not include the potential number of dwellings. It would assist in infrastructure planning, particularly regarding local education provision, if the number of dwellings proposed were included.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

It is recognised this would be of benefit to the Council, however the nature of the site, with a number of parcels of land in separate ownership, and flood and access constraints, means that plan-scale consideration of the potential yield is likely to have a high degree of uncertainty.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0114

**Name:** Paul Pine

**Organisation:**

**On behalf of:**

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**Rep. Number:** 2

**Local Plan Section:** 7.3 **Paragraph/policy** Policy 7.20 (2)

**Is the Local Plan sound?:** Yes

**Is the Local Plan legally compliant?:** No

**Is the Local Plan compliant with the duty to co-operate?:** Yes

**Hearing session(s)?:** Yes, I wish to participate in hearing session(s)

**Why?** My family home will be directly and significantly affected by Proposal 7.19 Land at Binkham Hill, Yelverton to provide 'affordable housing to meet identified local needs' by using farmland to build housing, whilst Proposal 7.20 Yelverton Special Policy Area seeks to protect houses of a similar age a few streets over for flawed reasons. In order to present a fair and balanced Local Plan that meets the aims to 'conserves and enhances the National Park's "Special Qualities", and protects special areas and features within it from harmful development' and 'encourages redevelopment of vacant buildings or land, or other areas' this Special Policy Area needs to be reviewed, if required by public hearing.

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

I am not in a position to say whether the Local Plan is both legally compliant and compliant with the duty to co-operate, but I am assuming that it is.

I do not consider the Local Plan to be sound though with regard to Proposal 7.20 Yelverton Special Policy Area.

**Modifications necessary to make the Local Plan compliant:**

The Yelverton Special Policy Area is not sound for a number of reasons.

- It is the only 'special' policy area within the whole plan, and only one of two 'special policy areas', the other being South Zeal Conservation Area protecting medieval Burgage Plot supported by a Character Appraisal at the link below.

[https://www.dartmoor.gov.uk/\\_\\_data/assets/pdf\\_file/0008/865457/South-Zeal-Appr-complete.pdf](https://www.dartmoor.gov.uk/__data/assets/pdf_file/0008/865457/South-Zeal-Appr-complete.pdf)

- Proposal 7.20 aims to protect the 'original core of Yelverton', yet the area it covers is not the original core, but large houses built in the 1930's, the same time as the houses in Binkham Hill which are not in the area.

- The original core of Yelverton was built in the 1820's around the Rock Hotel, 1840's around the Leg O' Mutton and 1850's around the Roborough Inn, all of which are outside the Special Policy Area.

- This Special Policy Area is constraining the 'subdivision and development of typically large plots in this location', which is driving the need to develop green field and farmland sites in the area impacting many more residence and the wider community (Proposal 7.18 and 7.19 in Yelverton).

- The Plan currently has two green-field sites proposed in Yelverton for new development, when only 'a small level of housing that provides for specific local needs' is required (reference Para 10.4 in the DLP Topic Paper 9 dated Dec 18).

- There is no 'Development Site Brief' or Character Appraisal supporting this Proposal whilst there are briefs for other Proposals.

Removal of this Special Policy could satisfy part of this need over the life of the 2018-2033 Plan, reducing the requirement to develop on green-field sites in Yelverton.

**Authority response:**

It is unclear why this being one of only two special policy areas, makes the plan unsound. The comment in relation to the 'historic core' is noted as potentially misleading and a modification is proposed. There is no evidence that the removal of this policy area would make a contribution towards meeting the local affordable housing need. On the basis of the proposed policy removal of the policy area could allow potentially for the sub-division of plots for local self-build. XX DJ AWAITING FEEDBACK FROM TAB ON ANY APPEAL DECISIONS, AND HISTORIC ENV ON ANY YELVERTON APPRAISAL WORK AS SUPPORTING EVIDENCE XX

**Authority proposed action:**

Replace 'the original' with 'this historic residential'

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**Respondent Number:** 0048

**Name:** Andy Stokes

**Organisation:** Buckfastleigh Town Council

**On behalf of:**

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**Rep. Number:** 27

**Local Plan Section:** 7.4

**Paragraph/policy** Proposal 7.21 (2)

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

7.22 (p146) Land at Axminster Carpets

In the light of recent proposals for development from Buckfast Abbey, the council would like to support and emphasize that as stated, development on this site should include (a) 'an element of affordable housing and local needs custom and self-built housing'. Also, that (d) it 'identify and deliver opportunities to improve pedestrian and cycle access through the area'.

We are also concerned that due to reports of a new roost of Greater Horseshoe Bats being discovered in the near vicinity, that as stated e) 'development...will have no adverse impact on the SHSAC'.

We again emphasize that any 'major development' within the park should, as stated in the NPPF,...be refused unless exceptional circumstances can be proved. It is therefore incumbent on the developers to prove that there are exceptional circumstances and that any development would provide significant affordable housing for local people and benefits in terms of infrastructure and services.

We are also aware of considerable concern from Buckfastleigh Town Centre retailers, that any retail outlets such as those currently being suggested at the Axminster Carpets site, will have the effect of creating a mini, out-of-town shopping centre, which because of access to abundant parking, would lead to a drop in turnover for existing shops, many of whom are on a financial cliff-edge in current economic circumstances. We would like this to be taken into account when awarding any planning permission for this site.

We also suggest that, since this is a brownfield site and is within the parish of Buckfastleigh (and because the housing allocation for the village of Buckfast is so small), that any major development of dwellings on this site be considered as part of Buckfastleigh's allocation and take precedence over development of current greenfield allocations within the parish.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

The policy requires evidence to support an appropriate assessment to ensure no likely significant effects on the SH SAC.

The allocation as drafted in the policy is not currently considered Major Development against the definition in strategic policy 1.5 (2). There is the potential for this to change depending on the development proposals which come forward.

The policy intentionally does not include retail (class A1) as an acceptable use to ensure the development



does not compete with Buckfastleigh town centre.

The proposal would be expected to contribute towards the meeting of affordable housing need (or other specifically identified housing needs) as part of any mixed use scheme. The plan seeks to prioritise and maximise the use of brownfield land. However, the planning system is not able to control when development occurs, this is decided by the developer and typically the market.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0188

**Name:** Tim Gill

**Organisation:**

**On behalf of:**

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**Rep. Number:** 1

**Local Plan Section:** 7.4 **Paragraph/policy**

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** No

**Detail of representation:**

I wonder if you could advise on a footway in Mary Tavy that has appeared on the final draft Local Plan (see attached photo)? It doesn't show up as an existing PROW and I can't find any information about it being a proposed footpath? Please could you let me know more about it, or advise where I can find out more info?

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

The footpath is an existing public right of way and forms part of the West Devon Way which runs along the road south of Mary Tavy.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0118

**Name:** Coral Ducroq

**Organisation:** Stride Treglown

**On behalf of:** Mr S Hutchins

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**Rep. Number:** 5

**Local Plan Section:** 7.4

**Paragraph/policy** 7.4.2

**Is the Local Plan sound?:** Yes

**Is the Local Plan legally compliant?:** Yes

**Is the Local Plan compliant with the duty to co-operate?:** Yes

**Hearing session(s)?:** No

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

Section 7.4.2 indicates the settlement boundaries of those areas identified as 'Rural Settlements', in the case of Mary Tavy (Map 7.10) it is felt that the settlement boundary is drawn too tightly around the village, particularly to the north west. As it stands the settlement boundary is so close to the existing settlement of Mary Tavy that there are virtually no areas within the settlement boundary to allow the village to grow in a sustainable manner. The only significant area within the village of undeveloped land within the settlement boundary is actually the village playing field. Therefore it is felt that more opportunity within the village should be provided for future growth to be realised, however small scale. Without the ability to grow in a sustainable way, rural settlements such as Mary Tavy will find it difficult to maintain a level of population to retain key rural services such as the village school, shop and pubs etc

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

Settlement boundaries are all drawn in accordance with the methodology set out in section 4 of the Vision and Spatial Strategy Topic Paper. The boundaries are not development boundaries, but are intended to represent the extent of the settlement to assist in the interpretation of policy, particularly where policy refers to development within or adjacent to settlements.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0132

**Name:** Bas PAYNE

**Organisation:** Moretonhampstead Parish Council

**On behalf of:**

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**Rep. Number:** 16

**Local Plan Section:** 7.4

**Paragraph/policy** Policy 7.10 (2)

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

Housing numbers have been added (around 18 homes for the Betton Way site, and around 25 homes for the Forder Farm site). These would result in higher densities of buildings than is appropriate for the margin of the settlement, and we are concerned also at the likely visual impact of large developments of similar houses. These developments would also be likely to add significantly to traffic and parking problems in the town, and, the 45% requirement for “affordable” housing would do little to provide more genuinely affordable housing.

The housing numbers should be removed or substantially reduced, and there should be a clear requirement to provide more genuinely affordable housing – probably rented social housing. Our survey shows clearly that our community only supports development that significantly improves the availability of genuinely affordable housing and doesn’t add to current infrastructure problems – in particular traffic and parking. The community is likely to reject and oppose these proposals as they would have significant detrimental impact on the appearance and feel of the town and on traffic and parking, while doing very little to provide more genuinely affordable housing. (Please see also comments on Policy 3.1.)

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

Approximate site capacities have been determined from the average density of development on site's of 7 or more over the period of the last Local Plan. This is considered appropriate and consistent with local plan's objective of ensuring that what little development land exists in the National Park is used to best effect. Further discussion is available in section 8 of the Housing Topic Paper. Infrastructure issues are considered through the SHLAA and Infrastructure Delivery Plan (IDP). The Parish Council should raise any necessary infrastructure items not covered by the IDP with DNPA.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0189

**Name:** Russell Williams

**Organisation:** Greenslade Taylor Hunt

**On behalf of:** Mr Jeremy Dennis

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**Rep. Number:** 1

**Local Plan Section:** 7.4

**Paragraph/policy** Proposal 7.15 (2)

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** No

**Detail of representation:**

We act on behalf of Mr Jeremy Dennis, who is the owner of land in the vicinity of Palstone Lane, South Brent, TQ10 9PE. We write further to our letter dated 9th December 2016 regarding the Land Availability Assessment, Call for Sites. The purpose of this letter is that whilst we are pleased to see the inclusion of a proportion of our clients land we wish to make representation to support the inclusion of all the land within our client's ownership as part of emerging proposal 7.15.

The extent of Mr Dennis's ownership is shown in the image below edged red. The land comprises undeveloped agricultural pasture on the southern edge of South Brent and immediately adjoins residential development within the settlement to the east.

The land immediately to the north was previously allocated within the Dartmoor National Park Core Strategy for residential development, has been granted planning consent and is under construction through Cavanna Homes (0354/14). An application is currently under consideration for the erection of 17 dwellings (12 affordable and 5 open market houses) under planning reference 0147/19 on the northern portion of the allocation.

#### Site Constraints

We can confirm that there are no ownership issues that might prevent development on the site. We are not aware of any legal covenant preventing residential development of the entire site.

Our desktop searches have concluded that the land does not form part of a SSSI, SAC, SPA etc. The site does not present any physical constraints to development, save for the provision of a suitable access to the land. The land is within Flood Zone 1, is generally of level topography, free draining and does not contain any trees subject to preservation order or such that might prevent development from taking place.

Ecology should not present itself as a major constraint to development. The land has been actively farmed for decades and save for the established hedgerow network and possible presence of species within the general area the land is considered to have limited ecological value/potential.

#### Draft Local Plan Review

Approximately half of the land promoted on behalf of our client has been allocated within the published Draft Local Plan. The supporting text states that South Brent is a Local Centre in the Local Plan. The Image over the page is an extract from the Draft Local Plan which shows how Mr Dennis's land has been allocated.

Proposal 7.14 refers to the northern portion of the allocation (Land at Palstone Lane (a)). This area of land is allocated for community-led affordable and local needs custom and self-build housing.

Development should come forward only in response to an identified local need and must allow for highway access in accordance with Proposal 7.15. The southern portion of the allocation (land at Palstone Lane (b)) allocated an area of land for residential development, of which not less than 45% must be affordable housing to meet identified local needs. Development should come forward only in response

to an identified need for affordable housing need. Development of this site must provide highway access in conjunction with Proposal 7.14.

The total site area within our client ownership is 3.98 hectares. The whole site is considered to be suitable for residential development. When taking into account all of the relevant planning constraints, we consider the land to be capable of delivering approximately 80 open market and affordable dwelling houses. The following plan identifies the additional land for allocation:

It is our view that the whole site should be allocated for residential development within the Local Plan. The inclusion of the whole site would allow a development proposal to come forward in the future that makes the best and most efficient use of land and is the most viable in terms of the required infrastructure. The inclusion of the southernmost portion of the field would represent a more attractive pattern of development which effectively rounds-off the settlement. Inclusion from an early stage would avoid the site from potentially becoming sterilised by development that does not account for the future development of this land and future housing need at South Brent.

By allocating additional land now, will provide assurances for the community over the location of future development and allow the Local Planning Authority to resist speculative applications in South Brent.

**Modifications necessary to make the Local Plan compliant:**

Given the above considerations, we would respectfully request that due consideration is given to this consultation response and consideration is given to the inclusion of all the land within the proposed allocation.

**Authority response:**

The support for the allocation of this land is welcome. The current identified housing need for South Brent, and the level of land needed overall within the National Park to meet the indicative housing figure for the plan period does not necessitate or justify additional land at this site. DNPA has successfully met the housing need in South Brent through the current and preceeding plan period through the allocation of plots of this scale which have received community support in principal. The availability of further land is noted.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0132

**Name:** Bas PAYNE

**Organisation:** Moretonhampstead Parish Council

**On behalf of:**

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**Rep. Number:** 17

**Local Plan Section:** 7.4

**Paragraph/policy** Policy 7.11 (2)

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

Housing numbers have been added (around 18 homes for the Betton Way site, and around 25 homes for the Forder Farm site). These would result in higher densities of buildings than is appropriate for the margin of the settlement, and we are concerned also at the likely visual impact of large developments of similar houses. These developments would also be likely to add significantly to traffic and parking problems in the town, and, the 45% requirement for “affordable” housing would do little to provide more genuinely affordable housing.

The housing numbers should be removed or substantially reduced, and there should be a clear requirement to provide more genuinely affordable housing – probably rented social housing. Our survey shows clearly that our community only supports development that significantly improves the availability of genuinely affordable housing and doesn’t add to current infrastructure problems – in particular traffic and parking. The community is likely to reject and oppose these proposals as they would have significant detrimental impact on the appearance and feel of the town and on traffic and parking, while doing very little to provide more genuinely affordable housing. (Please see also comments on Policy 3.1.)

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

Policy 3.1 (2) highlights that development above a threshold should only come forward where supported by a Housing Needs Assessment which identifies local housing needs.

Vacant Building Credit is a national policy and is applicable to all sites where the criteria are met. Whilst all sites start with the principle of providing affordable housing this can be reduced where vacant building credit is applicable. DNPA is unable to exclude the National Park from a national policy.

Policy 3.1 (2) part 5 requires housing sites to respond to local housing needs identified. DNPA considers that the redevelopment of this site has the potential for a significant positive impact on traffic through a reduction in large HGVs using the site.

**Authority proposed action:**

None proposed.





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**Respondent Number:** 0201

**Name:** Richard Bailey

**Organisation:** Bell Cornwell

**On behalf of:** Buckfast Abbey

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**Rep. Number:** 2

**Local Plan Section:** 7.4

**Paragraph/policy** Proposal 7.21 (2)

**Is the Local Plan sound?:**

No

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:** Yes

**Why?** To be able to elaborate on the above for the Inspector as required

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

Our client (Buckfast Abbey [the "Abbey"]) remains fully supportive of the former Axminster Carpets site being allocated for redevelopment in the emerging Local Plan. They are supportive of the direction of travel the policy has taken and the changes made from the previous version of the plan following their comments. In particular, the inclusion of a reference to "a mix of residential care (C2) and appropriate uses" within the first part of the policy is welcomed and supported.

That said they object to the current version of the allocation policy, which is not considered to be sound in its current form. This is because of changes in circumstances that have happened since the previous consultation which in our view show what the most appropriate strategy/approach to the redevelopment of this site should be. It is therefore considered that an amended version of the allocation policy would be more justified and appropriate than the current version.

The change in circumstances is essentially the fact that there is now a fully evidenced proposal for the care village redevelopment of the site that is the subject of a full planning application (NPA reference: 0300/19). This application specifically proposes:

"Mixed use development involving: demolition of community hall, part demolition of existing factory buildings and retail floorspace; construction (through the conversion of existing buildings and new build) of a care village (use class C2) comprising 124 extra care units, a 60 bed care home, a 32 bed dementia care home and a communal facilities hub; change of use of former factory building for the re-provision of a 230 sq.m (GIA) community hall (use class D1) and extended retail provision providing 120 sq.m (GIA) of additional floorspace; and associated open space, landscaping, car parking and access works."

A site layout is provided as part of this response for information (see Appendix A). As set out in our comments to the draft version of the plan in January 2019, since the Abbey acquired the site in 2013 they have been exploring the possible redevelopment opportunities for the site and it has been established during this time that this care village proposal is the most appropriate way forward for the site when all is considered.

The application is supported by a range of technical and specialist material. The need for the proposed development has been evidenced clearly and this is set out in the Care Provision Need Assessment report prepared by Carterwood (specialists in health and social care market analysis). In summary, this concludes:

- A large unmet need for market standard care home beds within both the market (110 beds) and Teignbridge District Council (298 beds) catchments, when planned units under construction are included. The dedicated dementia analysis also indicates there is a strong need for additional dedicated dementia care beds;

- Analysis of private extra care units shows one of the largest shortfalls we have surveyed, despite the inclusion of the planned units under construction, within both the market catchment (796 units) and the Teignbridge District Council area (641 units);
- Analysis of the adjacent local authority areas (West Devon [170 beds] and South Hams [430 beds]) and Dartmoor National Park also indicates significant and increasing shortfalls of care beds and extra care units. For Dartmoor National Park the indicative need for 2021 is 125 care home beds and 208 extra care units. This unmet need in each catchment is projected to increase substantially between 2021 and 2031, reflecting the sustained and escalating nature of future care need;
- Devon County Council's strategic documentation recognises the need for new and innovative forms of elderly care accommodation, particularly extra care housing; and
- There is both a compelling quantitative and qualitative need for the proposed development, which seeks to cater for the full range of dependency levels within a self-contained village setting.

Gerald Lee, a specialist advisor in care provision, prepared the Vision Statement submitted as part of the application and which explains how the intention is to deliver a care village that offers high quality housing with person centred care and support that improves health, quality of life and general wellbeing within a unique, tranquil and picturesque setting. As set out, the proposed care village is tailored to provide a range of different care operations and to meet local care needs, both now and in the future. High quality accommodation would be provided to people, regardless of age, and cover every eventuality from basic care needs all the way through to those requiring specialist dementia or end of life care. The aim is also to ensure that the care village is available to all. Residents of the care homes would be a combination of self-funders and local authority funded residents, whilst the extra-care apartments are proposed to be available in a range of tenures (e.g. private sale, shared equity purchase, market rate rentals and for social housing rental). Specifically, it is intended that 20 units would be affordable of either shared ownership or social rented tenures. A nomination process is also to be established with the DNPA on a range of agreed principles. Whilst the redevelopment proposal does not involve the provision of dwelling houses (C3) it does provide a place of residence for a specific section of the local community, which will benefit the local housing supply position by freeing up existing stock.

The care village would deliver not only security and well-being to older people in the area, but also permanent and highquality employment to a considerable number of local people. It is the expectation (based on experience from the operation of similar facilities and the specific of this proposal) that the care village would employ 170 people directly (which is above the 100 people employed at the site when Axminster Carpets were there). There would also be additional employment created indirectly (e.g. supply chain linkages; increase in expenditure locally), which is estimated to be in the region of 17 (full time equivalent) jobs.

The planning application submission has comprehensively assessed the impacts related to the care village proposal and it has shown that in terms of landscape, heritage and ecological considerations that this use of the site has the potential to deliver benefits, which are unlikely to be realised to the same extent if the site was principally developed for an employment use. It demonstrates a redevelopment of the site that is appropriate for its sensitive National Park location.

Furthermore, the proposal has been consulted on with the local community in advance of the application submission, which showed wide spread support for the care village because of its clear social and economic benefits.

It is our view that the care village proposal currently with the NPA for determination will deliver numerous benefits and is the right development for this site that will contribute substantially to the NPA meeting its key objective of protecting the National Park's special qualities whilst meeting the needs of its communities. As well as its duty to foster economic and social wellbeing for the local community. We therefore believe that changes should be made to policy to reflect this justified proposal for the site that is the most appropriate when the evidence and reasonable alternatives are considered. Our client also has some specific comments on the current criteria set out in the second part of the policy, which are considered necessary to make the allocation policy sound. These are as follows:

- With respect to criterion a) it is our view that the wording is ambiguous by mixing the terms "jobs" and "space". It is therefore proposed that wording is amended so it is clear that the focus is on ensuring a

similar level of employment creation (i.e. jobs) rather than space, which is not itself an indication of economic activity.

- With regard to criterion d) it is suggested that this could be more specific and make reference to this being along the Buckfast Road frontage.
- In respect of criterion e), we believe that wording needs to be added to this to make it clear that it is an adverse impact on the “integrity” of the designation that is the key consideration.

Finally, we think that the allocation boundary should be extended to include the Southpark Community Centre. Including this in the allocation will enable its retention or re-provision to be appropriately considered moving forward. Within the current application the removal and replacement of this facility is proposed and agreed with the operators. As such we suggest that an additional criterion is added to the second part of the policy to cover this.

#### **Modifications necessary to make the Local Plan compliant:**

Proposed the following amended policy wording to reflect the above position that a care village proposal for the site is the most appropriate/favourable way forward for the site. New text is in blue.

1. An area of land at the former Axminster Carpets works is identified for mixed use redevelopment to meet identified local needs. Development of this area should primarily be for a care village involving residential care (C2) provision to meet local needs and related ancillary/support uses. Other acceptable uses may include:

- Around 40 homes (C3), including an element of affordable housing and local needs custom and self build housing; or
- Commercial uses comprising principally business and industrial uses (B1, B2 and B8), financial and professional services (A2), and assembly and leisure uses (D2)

2. Development of this site must:

a) provide a level of employment which offsets the loss of employment associated with the former use; b) conserve and enhance the setting of heritage assets; c) be informed by a flood risk assessment which includes consideration of climate change and demonstrates that any development will be safe, not increase flood risk elsewhere, and where possible reduces flood risk overall, taking a sequential approach to land uses; d) identify and deliver opportunities to improve pedestrian and cycle access through the area, in particular along the Buckfast Road site frontage; e) be supported by evidence to inform an appropriate assessment (Habitat Regulations) in order to establish that development of this site will have no adverse impact on the integrity of the South Hams Special Area of Conservation designation; f) be informed by an understanding of the hazards relating to the Health and Safety Executive consultation zone and take a sequential approach to land uses; and g) Either retain the Southpark Community Centre in its current form and ensure its continued usage or involve its suitable re-provision / replacement as part of a comprehensive redevelopment of the site.

The proposed changes provide a clear direction for the allocation that is plainly evidenced by the current planning application submission before the NPA for determination. The amended allocation policy is the most appropriate taking account the of the reasonable alternatives. Importantly, the proposed changes retain the flexibility for the site to be developed for a range of uses.

#### **Authority response:**

The comments are noted, the DNPA also notes the proposal is yet to be determined and the application should not lead the allocation unduly. The primary identification of the site for care is not considered appropriate, nor does the current proposal wording prejudice the ability to deliver the scheme in the form proposed by the Representer. Should the proposal not come forward in the form proposed, the current wording enables options for the mix of use on the site. In respect of 2( d ) DNPA does not agree that the pedestrian/cycle access should necessarily be along the road side, and arguably would consider the riverside to be a more desirable and appropriate location for a mixed use path through the site. The comment regarding the use of the word employment 'space' is noted, and a minor modification is proposed. In respect of 2( e ) DNPA is content to be led by the HRA process and any comments from Natural England, which has not suggested that a modification here is necessary. The Community Centre does not form part of the previous employment use of the site, albeit it is now in the same ownership as

the adjoining land. DNPA is not minded to amend the allocation boundary to include this parcel, and is of the view that policies within the local plan enable the consideration of this use as part of any proposal, reasonable sustaining or improving this facility for the local community.

**Authority proposed action:**

Proposed modification Proposal 7.21(2) (2a) provide a level of employment which offsets the loss of employment space, replace with 'offsets the loss of the previous employment use'

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**Respondent Number:** 0215

**Name:** Kate Goulden

**Organisation:**

**On behalf of:**

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**Rep. Number:** 1

**Local Plan Section:** 7.4

**Paragraph/policy** 7.4.1

**Is the Local Plan sound?:** yes

**Is the Local Plan legally compliant?:** yes

**Is the Local Plan compliant with the duty to co-operate?:**yes

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:**

**Detail of representation:**

Ref. Land at Axminster Carpet site. Fully support the application by Buckfast Abbey to build a care village. A vital facility with employment opportunities.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

**Authority proposed action:**

None proposed

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**Respondent Number:** 0053

**Name:** Ed Persse

**Organisation:** EJFP Planning Ltd

**On behalf of:** Mr M Cast, Mr M Howell and Mr R Stoddard

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**Rep. Number:** 2

**Local Plan Section:** 7.4

**Paragraph/policy** Policy 7.6 (2)

**Is the Local Plan sound?:** No

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:** Yes, I wish to participate in hearing session(s)

**Why?** To make the case to the Inspector

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

While there is no objection to the two allocations (already allocated as part of the DPD), the concern is that both sites are currently subject to live planning applications and are likely to be developed or partially developed by the time the draft plan is adopted.

The plan sets out in policy 3.1(2) that there is an indicative housing delivery figure of 65 homes a year across the park. Accordingly, it is expected that the delivery will predominantly be provided in the local centres. It is logical that Buckfastleigh should have its proportion of new dwellings in order to meet the figure set out in policy 3.1(2). The two sites are unlikely to contribute on the basis that they will have been developed out before the draft plan is adopted.

Therefore, the purpose of this comment is to promote the site off Oaklands Park DNP16/066.

**Modifications necessary to make the Local Plan compliant:**

The site at Oaklands Park DNP16/066, is well related to the existing development of Oaklands Park, and any development would be seen in conjunction with the Oaklands Park which lies to the east of the proposed site. To the north of the site, there is more housing and development bounded with mature trees. Accordingly, the main views would be from the south and west where the development would be seen against the backdrop of the housing and landscape features to the north and east. There would be no long views from the east or north.

Regarding access, the roads leading to the site are fairly narrow; however, this is typical of many of the roads serving developments in Buckfastleigh. This should not be a bar to development.

The site is flat and therefore readily developable and without the constraints of developing a sloping site which can cause issues with viability. The topic paper highlighted the following points in terms of housing in Buckfastleigh • Latest Housing Needs survey notes the requirement for 38 homes (73% of which 2-bed units) • 14 affordable homes delivered in the past 10 years (not allocated) • There is a lot of 'hidden housing need' in Buckfastleigh with a need for a greater mix of tenure and sizes of dwellings - in particular, smaller units of rental and shared ownership to meet the needs of downsizing and newly formed households. • There is a need for more integration of market homes and affordable units – as opposed to the large former council estates which dominate some areas of Buckfastleigh.

The topic paper states in relation to that it is not allocated 'Given preferable alternatives this site is not necessary for allocation'. Given that the proposed allocations referred to above are unlikely to be available as a result of being developed out by the time the plan is adopted, site DNP16/066 should be allocated to help address the problems highlighted above.

Access has been raised as a concern; however, the school use of the site will generate traffic movements



to and from the site. When compared to the existing number of potential users from the Oakland Park estate (900 - 1200 per day) the development of DNP 16/066 will represent a small increase. The LAA consideration for the site confirmed that the development of the site would be acceptable from a highways' perspective.

The site is available for development; it will not have an adverse impact on the landscape given that it would be viewed in the context of the adjoining development, access to the site is considered to be an issue, the site has few development constraints, it is flat, and it is in flood zone 1.

Accordingly, the site should be allocated in the draft local plan. Concerning the other sites that have been considered for potential allocation in topic paper 9 under the site assessment & allocation recommendations; the following represents reasons why the sites mentioned below are not as good as the site off Oaklands Park DNP16/066

As previously mentioned BCK1 and BCK2 will have been developed out by the time the plan is adopted.

DNP 08/009-it is considered that the site would be visible from the East and would appear to significantly extend Buckfastleigh into the adjoining landscape. Additionally, there are concerns relating to the greater horseshoe flight path and the impact of the development upon these flight paths.

DNP 14/093-would be extremely visible in the landscape, appear disconnected from the heart of Buckfastleigh and close the gap between Buckfastleigh and Buckfast. Again concerns are raised regarding the greater horseshoe bat flight paths and the potential impact of the development of the site on those flight parts.

DNP 16/038-the site would extend Buckfastleigh out into the open countryside, access to each of the sites is generally poor and would be insufficient to cater for the scale of development that could take place on the sites.

DNP 14/076-the site is not located in a local centre; there are likely to be significant heritage, contamination and viability issues which will compromise any future housing development on the site. The site also lies in flood zones three and two, therefore restricting the development potential of the site.

It is also worth noting that the existing development in Oaklands Park is intrusive in design terms and it is indeed a development of its time. The development of the 16/066 represents an opportunity to improve this edge of Buckfastleigh through high-quality design and achieving a robust landscaped boundary to the edge of the settlement.

It is requested that these sites referenced DNP 16/066 is allocated in the local plan for housing development. The allocation of the site would assist the National Park authority in meeting its requirements to deliver an indicative number of 65 houses a year within the National Park. Buckfastleigh is a local centre and therefore is a settlement in which such development should take place indeed the strategic policy 1.4 (2) set local centre at the top of the hierarchy for housing development. The site is well related to Buckfastleigh it is currently available and has limited development constraints and could be brought forward in the early part of the plan period in order to assist meeting the identified housing need.

#### **Authority response:**

Topic Paper 9 (Development Sites) notes "The Oaklands Park development would represent a loss of a school facility and playing pitch, albeit not publicly accessible." That access constrained by Silver Street and "Though close to the area W of Glebelands (DNP08/009) terminating access to this site through Oaklands Park would isolate new homes and loss of playing field/potential facilities". The proposed reduced yield by the LAA panel as a consequence of the highway constraint (to 20 units) means the site would make a limited contribution towards meeting affordable housing compared with other proposed alternative site options. DNPA has received clear views from the community that development at that side of Buckfastleigh which would be served by constrained access is unlikely to be supported locally.

DNPA believes the sites identified to be capable of delivering affordable housing to meet an identified affordable housing need. The level of development needed to meet the overall housing need identified for the National Park is achieved through the combined identification of sites in the Plan, and additional

windfall or exception sites as may be needed. If sites do not deliver to meet the identified need in a specific area, and/or additional affordable homes are needed the Local Plan has appropriate scope for the delivery of this on exception sites, or through rolling Plan review.

**Authority proposed action:**



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**Respondent Number:** 0058

**Name:** Marcus Salmon

**Organisation:** Environment Agency

**On behalf of:**

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**Rep. Number:** 16

**Local Plan Section:** 7.4

**Paragraph/policy** Proposal 7.22 (2)

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

Likewise for Proposal 7.22 (Axminster Carpets, Buckfast) presents opportunities to reduce flood risks overall as well as potential opportunities to open up the mill leats

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

Whilst it is noted that it is desirable to achieve a reduction in overall flood risk to remove the phrase 'where possible' would be unreasonable were it to prove not possible, therefore making the allocation unacheivable. This phrase is also applied consistently across other Proposals with an element of flood risk.

**Authority proposed action:**

None proposed

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**Respondent Number:** 0204

**Name:** Richard Bailey

**Organisation:** Bell Cornwell

**On behalf of:** Mrs S Ellis

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**Rep. Number:** 2

**Local Plan Section:** 7.4

**Paragraph/policy** Proposal 7.11 (2)

**Is the Local Plan sound?:**

No

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:** Yes

**Why?** To elaborate on the above if required/necessary.

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

Whilst our client is fully supportive of the Forder Farm site being allocated and the development of the site, they are unable to support the current version of the policy because it refers to "around 25 homes" being achievable. This is despite the fact outline planning permission for 30 dwellings at the site has been granted permission (NPA reference: 0228/18).

National planning policy indicates how an efficient and effective use of land should be secured and therefore when allocating land for development, particularly in a National Park, it is important to ensure that its full potential is realised.

The policy wording should therefore be amended to refer to the increased number of dwellings this site can deliver.

**Modifications necessary to make the Local Plan compliant:**

Amend wording of policy to say:

"An area of land at Forder Farm is allocated for residential development of around 30 homes, of which not less than 45% must be affordable housing to meet identified local needs."

**Authority response:**

Noted this figure may reasonably be revised on the basis of more up to date evidence of potential site yield.

**Authority proposed action:**

Proposed modification to state "An area of land at Forder Farm is allocated for residential development of around 30 homes, of which not less than 45% must be affordable housing to meet identified local needs."

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**Respondent Number:** 0057

**Name:** John Coxon

**Organisation:** Emery Planning

**On behalf of:** Wainhomes Ltd.

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**Rep. Number:** 6

**Local Plan Section:** 7.4

**Paragraph/policy** Policy 7.15 (2)

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:** Yes, I wish to participate in hearing session(s)

**Why?** To respond to the Inspectors questions and the Council's case/hearing statements. The evidence and issues are complex and require thorough interrogation

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

Proposal 7.15 (2) Land at Palstone Lane(b), South Brent

5.15 We refer to our comments in relation to Proposal 7.14 (1). Part (b) forms an extension to part (a). It is possible that part a will be committed by the time that the Local Plan is examined. However, Part b will not be, and as set out above the evidence base does not support the allocation of the site, particularly in relation to landscape harm.

5.16 In addition, the policy states that the development of sites 7.14 and 7.15 must provide highway access in conjunction with each site. The evidence base clearly refers to access being taken from the Cavanna site to the north (i.e. via Middle Green). Table 24 of Topic Paper 9 summarises the LAA, and states in relation to the land west of Palstone Lane:

"Palstone Lane is inappropriate for use as access to the site to any significant extent. Any access should be routed through the Cavanna site in the longer term, if site considered suitable, or there should be significant improvements to Palstone Lane"

5.17 The recommendations at paragraph 10.4 of Topic Paper 9 state:

"Long term access should be through the adjoining housing, and not via Palstone Lane."

5.18 However, the planning application in relation to Site 7.14 involves access being taken directly from the narrow Palstone Lane, with no access through to the land to the south (i.e. Site 7.15) and no connectivity with the Cavanna site. This part of the policy cannot now be complied with, and it is unclear how a further 34 homes can be accessed directly from Palstone Lane.

5.19

**Modifications necessary to make the Local Plan compliant:**

We consider that this allocation should be deleted. Our client's land at Noland's Park is proposed as an alternative allocation.

**Authority response:**

The planning permission for land at Proposal 7.14(a) includes a retained access to Proposal 7.15(b) to the north west corner over the site, adjoining the recent Cavanna Homes development.

**Authority proposed action:**

None proposed

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**Respondent Number:** 0132

**Name:** Bas PAYNE

**Organisation:** Moretonhampstead Parish Council

**On behalf of:**

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**Rep. Number:** 18

**Local Plan Section:** 7.4

**Paragraph/policy** Policy 7.12 (2)

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

Housing number (around 26 homes) has been added; also a 45% affordability requirement. See comments above on Proposals 7.11-12. There is still no statement that development should only be come forward if responsive to local needs.

We should also be aware that this would have no effect until 2021.

There is also no explanation why Section 3.1.13, on Vacant Building Credit doesn't apply to this site. Challenge would probably have more chance of success as a result.

The housing number should be removed or substantially reduced, and there should be a clear requirement to provide more genuinely affordable housing – probably rented social housing. (Please comments above on Proposals 7.10-11, and also comments on Policy 3.1.)

A requirement should be added, as in Proposals 7.10-11, that development should only come forward if responsive to local needs; and some explanation needs to be added about why Vacant Building Credit should not apply, to reduce the probability of challenge.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

Strategic Policy 3.1(2) states "development on allocated and windfall sites will only be approved where there is a current identified affordable housing need". Duplication in each individual proposal is not considered necessary. Vacant Building Credit is a national policy and is applicable to all sites where the criteria are met. Whilst all sites start with the principle of providing affordable housing this can be reduced where vacant building credit is applicable. DNPA is unable to exclude the National Park from a national policy.

**Authority proposed action:**

None proposed

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**Respondent Number:** 0049

**Name:** Mike Deaton

**Organisation:** Devon County Council

**On behalf of:**

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**Rep. Number:** 14

**Local Plan Section:** 7.4

**Paragraph/policy** Proposal 7.22 (2)

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

It is understood that it is a local aspiration to relocate the primary school. Therefore, although Devon County Council does not currently have funding for the project, it understands the inclusion of this policy within the new Local Plan. Allocation of the site for the relocation of the primary school would put the school and community in a stronger position should funding become available in the future.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0206

**Name:** Des Dunlop

**Organisation:** D2 Planning Limited

**On behalf of:** Pearce Fine Homes

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**Rep. Number:** 8

**Local Plan Section:** 7.4 **Paragraph/policy** Policy 7.4 (2)

**Is the Local Plan sound?:** No

**Is the Local Plan legally compliant?:** No

**Is the Local Plan compliant with the duty to co-operate?:**No

**Hearing session(s)?:** Yes

**Why?** Issues raised need to be the subject of discussion and debate

**Did respondent comment on Reg 18 Local Plan?:** No

**Detail of representation:**

Objections are made to the non allocation of land off Abbey Grange, Buckfast for residential development. The site is well related to the existing settlement limits and access can be achieved to the requisite standards off Abbey Grange. The site is well contained by trees and hedges and would represent a logical extension to the settlement. The site is sustainable and available for housing and would not have a detrimental impact on the character of the National Park. It is therefore recommended that the site be allocated for residential development.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

Development sites have not been identified in Rural Settlements because it is not believed this is necessary to meet the Local Plan's housing needs. In rural settlements policy places a greater emphasis on windfall and exception site development. Evidence to support this approach is available in the Housing Topic Paper, particularly section 8. In principle, the site could progress as an exception site provided there was sufficient housing need to justify it.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0055

**Name:** Ed Persse

**Organisation:** EJFP Planning Ltd

**On behalf of:** Mr A Lopes

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**Rep. Number:** 5

**Local Plan Section:** 7.4

**Paragraph/policy** 7.3.10

**Is the Local Plan sound?:**

No

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:** Yes, I wish to participate in hearing session(s)

**Why?** To promote the site.

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

The plan has failed to identify an opportunity to provide a site in Yelverton for downsizing or retirement dwellings

**Modifications necessary to make the Local Plan compliant:**

There is a site just off Gratton Lane Yelverton that has been promoted for downsizing and retirement units. A previous consultation exercise in 2016 highlighted the support for downsizing units in Yelverton. The site at Gratton Lane is available and given the positive local response to downsizing it should be allocated for this purpose. The NPPF and recent government guidance supports the provision housing specifically for the elderly as set out in the planning practice guidance 001-019 reference ID: 63-004-20,190,626 which states 'The need to provide housing for older people is critical. People are living longer lives and the proportion of older people in the population is increasing. In mid-2016 there were 1.6 million people aged 85 and over; by mid-2041 this is projected to double to 3.2 million. Offering older people a better choice of accommodation to suit their changing needs can help them live independently for longer, feel more connected to their communities and help reduce costs to the social care and health systems. Therefore, an understanding of how the ageing population affects housing needs is something to be considered from the early stages of planmaking through to decision-taking.'

The site is well related to Yelverton, the access to the site is supported by the Highways Officer, the site is well screened from wider views.

The allocation of the site for this specific purpose should be supported in the plan.

**Authority response:**

The site is not considered necessary to meet the housing objectives of the Local Plan. More preferable development sites have been allocated in Yelverton, and these are consistent with those identified in the emerging Neighbourhood Development Plan. Evidence of how this decision has been made is available in the Development sites Topic Paper. This does not prevent the site coming forward as an exception site throughout the Local Plan period should sufficient affordable housing need emerge. Evidence of delivery forecasts are available in the Housing Topic Paper. In respect of a need for 'older downsizers', whilst this site may have been promoted as such this does not prevent the allocated sites from coming forward with a scheme tailored to meet such a need.

**Authority proposed action:**

None proposed





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**Respondent Number:** 0204

**Name:** Richard Bailey

**Organisation:** Bell Cornwell

**On behalf of:** Mrs S Ellis

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**Rep. Number:** 1

**Local Plan Section:** 7.4

**Paragraph/policy** Proposal 7.10

**Is the Local Plan sound?:** Yes

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

My client is supportive of this allocation of land at Betton Way, which will provide the opportunity for the local housing needs of Moretonhampstead and the surrounding area to be met over the plan period.

**Modifications necessary to make the Local Plan compliant:**

n/a

**Authority response:**

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0053

**Name:** Ed Persse

**Organisation:** EJFP Planning Ltd

**On behalf of:** Mr M Cast, Mr M Howell and Mr R Stoddard

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**Rep. Number:** 1

**Local Plan Section:** 7.4

**Paragraph/policy** Policy 7.5 (2)

**Is the Local Plan sound?:**

No

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:** Yes, I wish to participate in hearing session(s)

**Why?** To make the case to the Inspector

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

While there is no objection to the two allocations (already allocated as part of the DPD), the concern is that both sites are currently subject to live planning applications and are likely to be developed or partially developed by the time the draft plan is adopted.

The plan sets out in policy 3.1(2) that there is an indicative housing delivery figure of 65 homes a year across the park. Accordingly, it is expected that the delivery will predominantly be provided in the local centres. It is logical that Buckfastleigh should have its proportion of new dwellings in order to meet the figure set out in policy 3.1(2). The two sites are unlikely to contribute on the basis that they will have been developed out before the draft plan is adopted.

Therefore, the purpose of this comment is to promote the site off Oaklands Park DNP16/066.

**Modifications necessary to make the Local Plan compliant:**

The site at Oaklands Park DNP16/066, is well related to the existing development of Oaklands Park, and any development would be seen in conjunction with the Oaklands Park which lies to the east of the proposed site. To the north of the site, there is more housing and development bounded with mature trees. Accordingly, the main views would be from the south and west where the development would be seen against the backdrop of the housing and landscape features to the north and east. There would be no long views from the east or north.

Regarding access, the roads leading to the site are fairly narrow; however, this is typical of many of the roads serving developments in Buckfastleigh. This should not be a bar to development.

The site is flat and therefore readily developable and without the constraints of developing a sloping site which can cause issues with viability. The topic paper highlighted the following points in terms of housing in Buckfastleigh • Latest Housing Needs survey notes the requirement for 38 homes (73% of which 2-bed units) • 14 affordable homes delivered in the past 10 years (not allocated) • There is a lot of 'hidden housing need' in Buckfastleigh with a need for a greater mix of tenure and sizes of dwellings - in particular, smaller units of rental and shared ownership to meet the needs of downsizing and newly formed households. • There is a need for more integration of market homes and affordable units – as opposed to the large former council estates which dominate some areas of Buckfastleigh.

The topic paper states in relation to that it is not allocated 'Given preferable alternatives this site is not necessary for allocation'. Given that the proposed allocations referred to above are unlikely to be available as a result of being developed out by the time the plan is adopted, site DNP16/066 should be allocated to help address the problems highlighted above.

Access has been raised as a concern; however, the school use of the site will generate traffic movements

to and from the site. When compared to the existing number of potential users from the Oakland Park estate (900 - 1200 per day) the development of DNP 16/066 will represent a small increase. The LAA consideration for the site confirmed that the development of the site would be acceptable from a highways' perspective.

The site is available for development; it will not have an adverse impact on the landscape given that it would be viewed in the context of the adjoining development, access to the site is considered to be an issue, the site has few development constraints, it is flat, and it is in flood zone 1.

Accordingly, the site should be allocated in the draft local plan. Concerning the other sites that have been considered for potential allocation in topic paper 9 under the site assessment & allocation recommendations; the following represents reasons why the sites mentioned below are not as good as the site off Oaklands Park DNP16/066

As previously mentioned BCK1 and BCK2 will have been developed out by the time the plan is adopted.

DNP 08/009-it is considered that the site would be visible from the East and would appear to significantly extend Buckfastleigh into the adjoining landscape. Additionally, there are concerns relating to the greater horseshoe flight path and the impact of the development upon these flight paths.

DNP 14/093-would be extremely visible in the landscape, appear disconnected from the heart of Buckfastleigh and close the gap between Buckfastleigh and Buckfast. Again concerns are raised regarding the greater horseshoe bat flight paths and the potential impact of the development of the site on those flight parts.

DNP 16/038-the site would extend Buckfastleigh out into the open countryside, access to each of the sites is generally poor and would be insufficient to cater for the scale of development that could take place on the sites.

DNP 14/076-the site is not located in a local centre; there are likely to be significant heritage, contamination and viability issues which will compromise any future housing development on the site. The site also lies in flood zones three and two, therefore restricting the development potential of the site.

It is also worth noting that the existing development in Oaklands Park is intrusive in design terms and it is indeed a development of its time. The development of the 16/066 represents an opportunity to improve this edge of Buckfastleigh through high-quality design and achieving a robust landscaped boundary to the edge of the settlement.

It is requested that these sites referenced DNP 16/066 is allocated in the local plan for housing development. The allocation of the site would assist the National Park authority in meeting its requirements to deliver an indicative number of 65 houses a year within the National Park. Buckfastleigh is a local centre and therefore is a settlement in which such development should take place indeed the strategic policy 1.4 (2) set local centre at the top of the hierarchy for housing development. The site is well related to Buckfastleigh it is currently available and has limited development constraints and could be brought forward in the early part of the plan period in order to assist meeting the identified housing need.

#### **Authority response:**

It is self evident that the two identified sites, neither of which have planning permission, will not be 'developed out before the plan is adopted'. Therefore these sites are available to meet the identified need within the community, together also with contributions arising from the allocated site (7.21) within the Parish. Topic Paper 9 (Development Sites) notes "The Oaklands Park development would represent a loss of a school facility and playing pitch, albeit not publicly accessible." That access constrained by Silver Street and "Though close to the area W of Glebelands (DNP08/009) terminating access to this site through Oaklands Park would isolate new homes and loss of playing field/potential facilities". The proposed reduced yield by the LAA panel as a consequence of the highway constraint (to 20 units) means the site would make a limited contribution towards meeting affordable housing compared with other proposed alternative site options. DNPA has received clear views from the community that development at that side of Buckfastleigh which would be served by constrained access is unlikely to be supported locally.

**Authority proposed action:**

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**Respondent Number:** 0086

**Name:** Stephen Hutchins

**Organisation:**

**On behalf of:**

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**Rep. Number:** 5

**Local Plan Section:** 7.5

**Paragraph/policy** Policy 7.10 (2)

**Is the Local Plan sound?:** Yes

**Is the Local Plan legally compliant?:** Yes

**Is the Local Plan compliant with the duty to co-operate?:** Yes

**Hearing session(s)?:** Yes, I wish to participate in hearing session(s)

**Why?** As a local resident for 38 years standing I would like to put over in person the importance of being able to stay in the village where I brought up a family, provided local jobs and supported the village community and other villagers.

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

[LATE COMMENT]

Section 7.4.2 indicates the settlement boundaries of those areas identified as 'Rural Settlements', in the case of Mary Tavy (Map 7.10) it is felt that the settlement boundary is drawn too tightly around the village, particularly to the north west. As it stands the settlement boundary is so close to the existing settlement of Mary Tavy that there are virtually no areas within the settlement boundary to allow the village to grow in a sustainable manner. The only significant area within the village of undeveloped land within the settlement boundary is actually the village playing field. Therefore it is felt that more opportunity within the village should be provided for future growth to be realised, however small scale.

Without the ability to grow in a sustainable way, rural settlements such as Mary Tavy will find it difficult to maintain a level of population to retain key rural services such as the village school, shop and pubs etc.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

The methodology for drafting the settlement boundaries is discussed in section 4 of the Vision and Spatial Strategy Topic Paper. All settlement boundaries are drawn in accordance with this methodology, whether a site is or is not suitable for development is not a relevant consideration.

**Authority proposed action:**

None proposed

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**Respondent Number:** 0007

**Name:** Sue Green

**Organisation:** Home Builders Federation

**On behalf of:**

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**Rep. Number:** 9

**Local Plan Section:** All **Paragraph/policy**

**Is the Local Plan sound?:** No

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**No

**Hearing session(s)?:** Yes, I wish to participate in hearing session(s)

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

Under the four tests of soundness as defined by the 2019 NPPF the Dartmoor Local Plan should be positively prepared, justified, effective and consistent with national policy (para 35). The Dartmoor Local Plan prepared by the DNPA has failed these tests by :-

- Not assessing LHN and setting out a housing requirement ;
- Not signing a SoCG with neighbouring authorities confirming that any unmet housing needs will be met elsewhere ;
- Not justifying and viability testing policy requirements set out in Strategic Policy 3.2(2) ;
- Inconsistencies between Strategic Policies 1.2(2), 1.3(2), 1.6(2) & 1.7(2) and Policy 4.5(2) and national policy.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

DNPA disagree with the claims made for the reasons set out in this response and detail provided in the evidence base.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0210

**Name:** Kate Royston

**Organisation:**

**On behalf of:** Tamar Energy Community

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**Rep. Number:** 1

**Local Plan Section:** All **Paragraph/policy** All

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** No

**Detail of representation:**

[LATE RESPONSE

]Tamar Energy Community (TEC) supports and endorses the views of, and response from South Dartmoor Community Energy (SDCE) to Dartmoor National Plan 2018-2036 attached and the need for the radical scale of responses required to meet the Climate Emergency and Extinction Crisis.

Background to TEC TEC was established in 2014 and registered with the FCA in July 2014. As SDCE we are a not for profit community benefit company with directors and members drawn principally from the local community. Our development was supported via Community Energy Accelerator Grants from Regen and Devon County Council and a Rural Community Energy Fund (RCEF) Grant from DEFRA and the then DECC (now BEIS) to progress our development.

TEC emerged from Transition Tavistock which developed community energy related initiatives from 2010. Our community of benefit includes the Southern Link parishes of West Devon including Dartmoor Forest, Burrator, Buckland Monachorum, Mary Tavy, Peter Tavy and Lydford and Callington and surrounding parishes.

TEC has installed community owned solar PV on the roofs of six host sites (totalling 325 kWp) including Mount Kelly's Prep and Senior School sites and Abbey Garden Machinery at Pitts Cleeve Industrial Estate in Tavistock. TEC is in the process of developing a further three sites in the Tavistock area.

TEC delivers energy advice services across the whole of West Devon including many free home visits and public events and clinics and an annual Energy Fest.

TEC is also involved in an innovation project (The Power in Your Hands) funded by Ofgem with Western Power Distribution to better understand how local substation data can help influence the behaviour of households to reduce the impact of peak energy usage and timeshift demand to better utilise renewable energy generation when this is available. The LV substation at the centre of this work is Meavy Way in Greenlands area of Tavistock, neighbouring Dartmoor National Park.

Energy Club is a new TEC initiative informed by the innovation and energy advice work to encourage households and citizens across the area to be more energy aware and take control of, and manage, their energy use with the aim of reducing their carbon footprints and energy use where feasible.

Conclusion We support SDCE's conclusions and their optimism for the future if we are all able to act and respond together. We look forward to working in partnership with DNP and other community energy enterprises across DNP to develop a policy framework to meet the challenges we face. We already have a close relationship through the Devon Community Energy Network (DCEN) and the earlier SW Devon

Community Energy Partnership (SWD CEP) in which Dartmoor National Park played an important role. If we are to succeed it will be through working co-operatively and collaboratively at the local level.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

Addressed through DNPA response to Dartmoor Community Energy representation.

**Authority proposed action:**



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**Respondent Number:** 0029

**Name:** John Willis

**Organisation:**

**On behalf of:**

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**Rep. Number:** 1

**Local Plan Section:** All **Paragraph/policy** All

**Is the Local Plan sound?:** No

**Is the Local Plan legally compliant?:** Yes

**Is the Local Plan compliant with the duty to co-operate?:** Yes

**Hearing session(s)?:** Yes, I wish to participate in hearing session(s)

**Why?** Among other things, I can talk further about our work in the Development Trust to develop renewable energy facilities, and our new Silvopasture project.

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

Two months ago, DNPA declared a climate and ecological emergency with a target of being carbon zero by 2025. I believe strongly that the proposed local plan should pause to consider if it is fit for purpose considering this declaration. While many aspects of the plan are good, there currently could be more in the plan to enable both DNPA or the communities that reside here to mitigate for an adapt to the emergency.

**Modifications necessary to make the Local Plan compliant:**

On the climate emergency in specific there are four areas where I believe improvements can be made:

1. Renewable Energy Creation
2. Sustainable New Housing and Energy Efficient Buildings
3. Transport
4. Sequestration Strategies

I will expand on each of these in the comments below.

**Authority response:**

Addressed in following comments.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0057

**Name:** John Coxon

**Organisation:** Emery Planning

**On behalf of:** Wainhomes Ltd.

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**Rep. Number:** 1

**Local Plan Section:** All **Paragraph/policy**

**Is the Local Plan sound?:** No

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:** Yes, I wish to participate in hearing session(s)

**Why?** To respond to the Inspectors questions and the Council's case/hearing statements. The evidence and issues are complex and require thorough interrogation.

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

#### 1. Introduction

1.1 Emery Planning is instructed by Wainhomes (SW) Ltd (hereafter referred to as 'Wainhomes') to make representations to the current consultation on draft Local Plan.

1.2 Wainhomes' specific site interest is the land south of South Brent, known as Noland Park. For ease of reference a site location plan is attached at Appendix EP1.

1.3 Representations have previously been submitted to the Issues consultation and the Land Availability Assessment (LAA) call for sites in December 2016, and also the Draft Local Plan consultation in February 2019, proposing the site as an allocation for residential development. The site is considered to be suitable and deliverable now for residential development.

1.4 The site could be allocated in full or across part of the site only (and/or in phases), subject to the development requirements of the settlement. The proposed housing would include the full policy requirement of affordable housing, and as part of that our client could look to include an element of community-led custom/self-build housing on part of the site. A small quantum of employment land could also be delivered as part of a mixed-use development.

1.5 In addition, there are potential community benefits that could be achieved due to the scale of the land under the control of Wainhomes, for example the potential to deliver land for community use such as new playing fields or re-located allotments.

1.6 This report sets out our comments on the specific policies of the plan taking each policy in turn and, the Sustainability Appraisal. Finally the report sets out details of the land at Noland Park, South Brent as a proposed allocation for residential development.

#### 2. National Planning Policy and Guidance

##### National Planning Policy Framework

2.1 The revised Framework was published in July 2018. It sets out the Government's planning policies for England and how these are expected to be applied. The purpose of the planning system is to contribute to the achievement of sustainable development. The Framework, taken as a whole, constitutes the Government's view of what sustainable development in England means in practice for the planning system.

2.2 Paragraph 11 requires plans and decisions to apply a presumption in favour of sustainable development. For plan-making this means that:

- a) plans should positively seek opportunities to meet the development needs of their area, and be sufficiently flexible to adapt to rapid change;
- b) strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas, unless:
  - i. the application of policies in the Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

2.3 Footnote 6 clarifies that National Parks are exempt from the presumption in favour of sustainable development in terms of meeting objectively assessed needs.

National Planning Practice Guidance (PPG)

2.4 The PPG was launched in March 2014. It replaced a number of practice guidance documents that were deleted when the PPG was published. Local Plan making is addressed under Section 12.

### 3. Plan period

3.1 Paragraph 22 of the Framework, which states: "Strategic policies should look ahead over a minimum 15 year period from adoption".

3.2 The draft plan proposes a plan period of 2018 to 2036. Provided that the plan is adopted before 1 April 2021, it will provide the minimum 15 year plan period from adoption. However if it transpires that the plan will not be adopted until after 1 April 2021, the plan period will need to be extended.

#### **Modifications necessary to make the Local Plan compliant:**

#### **Authority response:**

Agreed, the plan period may need to extend if the plan is adopted later than April 2021.

#### **Authority proposed action:**

None proposed

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**Respondent Number:** 0187

**Name:** Simon Collier

**Organisation:** Collier Planning

**On behalf of:** Baker Estates Ltd.

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**Rep. Number:** 1

**Local Plan Section:** All **Paragraph/policy**

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

These representations are submitted on behalf of Baker Estates Ltd. Baker Estates welcomes the opportunity to comment upon this Regulation 19 consultation on the draft Local Plan and has commented at previous consultation stages of the plan making process. A copy of those previous representations is attached for ease of reference.

At this stage in the plan-making process, it is particularly important for any representations to be framed around the requirements of national policy. The National Planning Policy Framework's (NPPF) requires that local planning authorities should submit a plan for examination which is considered to be "sound" – namely that it is positively prepared, justified, effective and consistent with national policy. It is with these requirements in mind that these representations have been prepared. Baker Estates has a land interest at Thompson Yard, Moretonhampstead, which is allocated for development within the current Development Management and Delivery Plan (adopted July 2013) under Policy MTN2. The site is the subject of a current planning application proposing the redevelopment of the site for housing, which was submitted by Baker Estates in March 2019, following pre-application consultation with DNPA and the local community. The site proposed to be allocated within the draft Local Plan under Proposal 7.12 (2).

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0185

**Name:** Sally Parish

**Organisation:** Highways England

**On behalf of:**

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**Rep. Number:** 1

**Local Plan Section:** All **Paragraph/policy** All

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

Highways England welcomes the opportunity to comment on the Dartmoor National Park Local Plan Review (LPR) Final Draft Consultation. This Regulation 19 consultation forms part of the Dartmoor National Park Local Plan review process which seeks to extend the period of the Plan up to 2036. Submission and Examination of the Plan is scheduled for 2020 with Adoption anticipated in 2021.

Highways England is responsible for operating, maintaining and improving the Strategic Road Network (SRN), which in the Dartmoor National Park Local Plan area comprises a stretch of the A30 in the north and the A38 in the south and east. It is on the basis of these responsibilities that we provide the comments that follow in this letter.

Highways England's Role in the Local Plan Process

Highways England recognises that prosperity depends on our roads, so aims to support growth and facilitate development based on an understanding of traffic conditions and behaviour, to manage the effects of development and ensure road safety. To constructively engage in the local plan-making process, we require a robust evidence-base for consideration so that sound advice can be given to local planning authorities on the appropriateness of proposed development in relation to the SRN. This also extends to include the identification of transport solutions that may be required to mitigate adverse impact on the SRN and hence support potential site allocations.

Highways England is keen to ensure that transport and land use planning policy is closely integrated. In this respect, Highways England draws your attention to 'The Strategic Road Network - Planning for The Future' which acts as a guide to working with Highways England. DfT Circular 02/2013 also sets out how we will engage with the planning system to deliver sustainable development.

Paragraph 12 of Circular 02/2013 states that 'the preparation and delivery of Local Plans provides an opportunity to identify and support a pattern of development that minimises trip generation at source and encourages the use of sustainable modes of transport, minimises journey lengths for employment, shopping, leisure, education and other activities, and promotes accessibility for all. This can contribute to environmental objectives and reduce the cost to the economy arising from the environmental, business and social impacts associated with traffic generation and congestion'.

Paragraph 18 states that 'capacity enhancements and infrastructure required to deliver strategic growth should be identified at the Local Plan stage, which provides the best opportunity to consider development aspirations alongside the associated strategic infrastructure needs. Enhancements should not normally be considered as fresh proposals at the planning application stage. The Highways Agency (Highways England) will work with strategic delivery bodies to identify infrastructure and access needs at the earliest possible opportunity to assess suitability, viability and deliverability of such proposals, including the

identification of potential funding arrangements’.

Responses to Local Plan consultations are also guided by other pertinent policy and guidance, namely the NPPF and NPPG. We acknowledge that, at this stage of the Local Plan review process, stakeholder’s views on the suitability of the Draft Policies for distributing and managing future development are being sought.

## The Current Local Plan

The existing Dartmoor National Park Local Plan First Review 1995-2011 was adopted in August 2004 and currently provides detailed local planning policies for the National Park. The Plan and its policies were ‘saved’ under The Planning and Compulsory Purchase Act 2004 however some of these policies were replaced by policies in the adopted Core Strategy (2008), Development Management & Delivery DPD (2013) and Minerals & Waste Plan (2004). The adopted Core Strategy which covers the period 2006-2026 aimed to deliver around 50 homes per year during the period, and delivery to date has been in line with this.

## Previous Plan review consultation responses

We previously responded to your First Draft (Regulation 18) Consultation in March 2019. In this response we provided specific comments in respect of the need for the Plan to be supported by a robust evidence base to identify the impact of the proposed development, and where necessary, that appropriate mitigation is signposted within the Plan Policies. We also recognised the requirement to identify the quantum of development proposed in the Plan settlements together with clarity regarding the total quantum of development expected over the Plan period, which is discussed later in this response.

It is noted that following the Regulation 18 Consultation the Plan period has been extended from 2033 to 2036 to provide 15 years post adoption to better enable delivery of housing need.

## Spatial Strategy

Draft Strategic Policy 3.1 (2) ‘Meeting Housing Need in Dartmoor National Park’ sets out that the Local Plan will seek to meet an indicative housing delivery figure of 65 homes each year post-adoption across the National Park over the period of this Plan, up to a total of 1,125

Draft Strategic Policy 1.4 (2) ‘Spatial Strategy’ proposes specific site allocations for residential development in line with the below hierarchy, which is guided, in part, by the restrictions on the provision of new development and infrastructure within the National Park boundary:

• 8 Local Centres • 16 Rural Settlements • 18 Villages & Hamlets • Outside classified settlements

As requested in our response to the Regulation 18 Consultation, the draft Local Plan now sets out, where proposed, specific housing allocations by settlement, under a series of Plan ‘Proposals’. Growth will be supported at existing local centres and rural settlements with limited housing (restricted to affordable dwellings) being permitted at villages, hamlets and outside classified settlements. The quantum of new specific housing allocations proposed across the Plan Period is set out below: Site Settlement Units Longstone Cross Ashburton 40 Chuley Rd Ashburton 45 Axminster Carpets Buckfast 40 Barn Park Buckfastleigh 26 Holne Road Buckfastleigh 28 Lamb Park Chagford 36 New Park Horrabridge 35 Thompsons (Station Rd) Moretonhampstead 26 Forder Farm (Chagford Cross) Moretonhampstead 25 Betton Way Moretonhampstead 18 Adj Fairfield South Brent 36 Palstone Lane b South Brent 34 Palstone Lane a South Brent 15

The aim of the Local Plan’s spatial strategy is to focus development opportunities in the most sustainable locations, and where it relates well to existing development, which is intended to reduce the reliance on the private car. The plan therefore seeks to focus development in existing settlements to ensure access to existing roads and amenities, and where housing or employment premises relate well to existing development, which is set out in ‘Topic Paper 7 – Transport’ (Version 3, September 2019). This aligns with Paragraph 16 of the DfT Circular 02/2013), which recommends development be ‘promoted in locations that are or can be made sustainable, that allow for the uptake of sustainable transport modes’. This should include locations with good access to transport modes that can substitute travel by private car, when considering the commuting locations that would otherwise travel via the SRN.

In terms of location, employment development often contributes significantly to peak hour traffic, and hence there can be challenges to accommodating high levels of trip demand, which may only exist for limited periods of the day. As above, the location of employment sites is as important to Highways England as the location of housing sites as growth should be targeted at sustainable sites to reduce any imbalance between population and jobs and avoid additional trips on the SRN as a result of outcommuting. Highways England therefore welcomes the Plan's preference for the allocation of small scale employment broadly in line with the settlement hierarchy of residential allocations.

## Transport Impacts

### Plan Policy

Draft Plan Policy 4.3 (2) 'Enabling sustainable transport' sets out that all new development will be required to encourage and enable sustainable travel and be supported by an appropriate level of transport survey and assessment to inform the decision-making process. The supporting Plan text highlights the need to reduce the need to travel, allow contributions from new development to help address existing transport issues and improve sustainable access and viability of public transport services. Whilst the growth set out in the draft Plan is likely to result in additional trips using the SRN, based on the proposed scale and distribution of this growth, and the strategies set out within the Plan's Policies, we are satisfied that the impact of the allocations within the Plan is unlikely to result in an adverse impact on the safe and efficient operation of the SRN, and that further detailed assessment is not required. Should the proposed level of development increase beyond that as currently set out in the Plan, Highways England will require that further assessment is undertaken.

### Conclusion

We have set out above our high-level considerations in respect of the Dartmoor National Park Local Plan Review Final Draft Consultation. The Plan aims to deliver 1,125 homes, or 65 per year across the period of the Plan, based on a spatial strategy which prioritises growth at existing local centres and rural settlements, with limited growth being permitted at villages and hamlets and in locations outside classified settlements.

Development should be promoted at locations that are, or can be made, sustainable allowing and encouraging the uptake of sustainable transport modes, which is reflected within the Draft Policies contained within the Plan. The planning of adequate local highway infrastructure to provide for local movements should be an integral part of the transport strategy, thereby maximising the ability of the SRN to serve its primary function in supporting the strategic movement of people and freight. Highways England is satisfied that the proposed Plan growth, underpinned by policies which seek to direct growth towards sustainable locations and reduce the reliance on the private car, can be accommodated without the requirement for transport mitigation on the SRN.

We trust that our response will be helpful and assist you with your Local Plan review. If you require further clarification on any issues, please do not hesitate to contact me.

### **Modifications necessary to make the Local Plan compliant:**

#### **Authority response:**

#### **Authority proposed action:**

None proposed.



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**Respondent Number:** 0026

**Name:** Paul Cottington

**Organisation:** National Farmers' Union

**On behalf of:**

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**Rep. Number:** 1

**Local Plan Section:** All **Paragraph/policy** All

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

The NFU is a professional body which represents the interests of approximately 75% of all farmers and growers. Our views are on behalf of the farming and land management sector in general. We are delighted to be able to respond to the local plan, as the policies will have massive implications for farmers across Dartmoor. Whilst we commend the document overall there are a number of aspects that should be redrafted in order to meet the needs of agriculture more fully.

As a first and important point. What is noticeable by its absence is any special mention of and consideration of "commons" and "commoners". The NFU has always regarded commons as the key driver for any action on Dartmoor and as such is the starting place for the delivery of Dartmoor's special qualities. If you can make commoning viable then the rest of Dartmoor becomes viable.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

The planning system does not directly control agriculture or have significant influence over how it is carried out. Whilst planners need to be aware of farming systems on Dartmoor, they are not hugely relevant to development or the Local Plan as set out in the NPPF. Mentioning commons and commoners would contribute to the common misunderstanding that planning can control farming and forestry systems and influence vegetation cover in these sectors.

**Authority proposed action:**

None proposed.



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**Respondent Number:** 0190

**Name:** Karen Gilbert

**Organisation:** Buckfastleigh West Parish Council

**On behalf of:**

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**Rep. Number:** 1

**Local Plan Section:** All **Paragraph/policy**

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** No

**Detail of representation:**

Buckfastleigh West Parish Council met on Monday and have asked me to send it its initial thoughts

The Council feels that , with regard to the issue of Climate Change , the draft report is already out of date

Buckfastleigh West feels that this topic is a very important aspect and extra thought/ updates should therefore be given

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

The Local Plan has sought to improve development standards in light of the climate emergency and has done this in a way which is consistent with National Policy. Discussion of this is available in the Design, Natural Environment and Housing Topic Papers.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0212

**Name:** Kate Royston

**Organisation:** Transition Tavistock

**On behalf of:**

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**Rep. Number:** 1

**Local Plan Section:** All **Paragraph/policy** All

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** No

**Detail of representation:**

[LATE COMMENT]

Transition Tavistock endorses the views of, and response from South Dartmoor Community Energy (SDCE) attached.

Transition Tavistock recognises that climate change poses a significant risk to the future of Dartmoor and the surrounding towns, and is taking action to address it including raising public awareness, encouraging community gardening, and promoting sustainable transport.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

Comments addressed in SDCE comment.

**Authority proposed action:**

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**Respondent Number:** 0195

**Name:** Peter Crone

**Organisation:** South Dartmoor Community Energy Limited

**On behalf of:**

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**Rep. Number:** 1

**Local Plan Section:** All

**Paragraph/policy** All

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** No

**Detail of representation:**

A. Background A.1 South Dartmoor Community Energy Limited (SDCE) was established in early 2016 and officially registered in June 2016. We are a not for profit community benefit company with directors and members drawn principally from the local community. In 2015 the founder directors of SDCE successfully applied for a Community Energy Accelerator Grant from RegenSW and Devon County Council to fast track the creation of the new community energy company. A.2 SDCE emerged from the PL21 Transition Town initiative and represents the PL21 postcode communities of Ivybridge town and the parishes of Cornwood, Ermington, Harford, Modbury, and Ugborough in addition to the PL7 postcode parishes of Shaugh Prior and Sparkwell. Both postcode areas straddle the Dartmoor National Park (DNP) boundary. A.3 SDCE has an interest in the 4.3MW Portworthy solar array at Lee Moor and is currently developing a 32 unit zero carbon, low cost housing development at North Filham in the parish of Ugborough on a 2.7 ha site adjacent to the DNP boundary. A.4 Since its inception SDCE has been offering energy advice throughout the South Hams area with to date hundreds of free home visits and regular public events. A.5 Net Zero Heroes is a new project in 2019 from SDCE to help families take climate action and reduce their own carbon footprints.

1. SDCE commentary on the Final Draft Local Plan 1.1 It would be possible in the customary way to respond to the detail of the plan paragraph by paragraph and policy by policy. However this would be unnecessarily repetitive and somewhat pointless as SDCE's criticism of the plan is at a very high level and questions the fundamental principles that underpin the purpose of the plan. 1.2 SDCE's approach therefore will be to set out a vision of an alternative set of development priorities that we consider to be fully aligned with addressing the global challenges we can no longer ignore, challenges that are impacting us now and will continue to do so for the foreseeable future. 1.3 The preamble entitled 'Strategy' effectively sets the scene for the plan with: 'Protecting the National Park's special qualities' and 'Major development will not take place in the National Park other than in exceptional circumstances.' 1.4 It is not evident that there has been any significant changes introduced between the 2006 – 2026 DNP Local Plan and the Final Draft of the proposed 2018 – 2036 Local Plan. There is certainly no acknowledgement of either an impending Climate Emergency or Extinction Crisis in the latest draft plan. 1.5 The DNP Authority (DNPA) itself declared a Climate Emergency on 26 July 2019<sup>1</sup> and signed the Devon Climate Declaration<sup>2</sup> on the same day but this has not lead to any amendments to the draft plan.

1.6 In summary this draft plan is very much a proposal for 'business as usual'. It is designed to preserve the status quo. 1.7 However it is a plan that will provide the framework for development in the DNP for the next 18 years. It is widely acknowledged that a continuation of business as usual for even a few years would make The Paris Agreement of limiting global heating this century to 2°C, let alone 1.5°C, almost impossible to achieve. 1.8 With this in mind, and after careful examination of the plan, it would be hard for anyone to conclude that a business as usual approach is fit for purpose in the current climate. 2. Climate Emergency and Extinction Crisis 2.1 Addressing the global Climate Emergency, the global Extinction Crisis and alleviating fuel poverty are SDCE's top priorities. We believe that the former two are

the overarching issues of our time and that we will only be able to respond adequately to these threats and achieve sustainable development if we eradicate poverty. 2.2 SDCE concurs with the Intergovernmental Panel on Climate Change (IPCC) that: "Limiting global warming to 1.5°C would require rapid, far-reaching and unprecedented changes in all aspects of society. With clear benefits to people and natural ecosystems, limiting global warming to 1.5°C compared to 2°C could go hand in hand with ensuring a more sustainable and equitable society." 2.3 Similarly we take note of the recent WWF report which concluded that: "The astonishing decline in wildlife populations shown by the latest Living Planet Index – a 60% fall in just over 40 years – is a grim reminder and perhaps the ultimate indicator of the pressure we exert on the planet." 2.4 Both of these threats are well documented and the latter is considered to be of such urgency that it is soon to become the focus of a new BBC one-off programme presented by David Attenborough entitled 'Extinction: The Facts'. 2.5 In summary we believe that, in order to limit the catastrophic damage that will result from a business as usual response, everything that can be done to mitigate or adapt to these threats has to be done and has to be done as quickly as possible. 2.6 To preserve any semblance of life as we know it for future generations will require a fundamental change of approach to something resembling a war time mobilisation with rapid decision making at all levels of government. The difference being that this will be a war with no end in sight as the outcomes of the processes that our species has set in train will continue for centuries, if not millennia, to come. 2.7 SDCE believe that in order for the UK to achieve net zero greenhouse gas emissions (GHG) by 2050 Devon, with its disproportionate share of the UK's renewable energy (RE) resources, must achieve net zero by 2030 or sooner.

2.8 Mindful of the above we believe that the DNP Local Plan should aim wherever it possibly can to facilitate the following key objectives:

- Achieving net zero CO<sub>2</sub> equivalent (CO<sub>2</sub>e) across the entire DNP area as soon as possible by:
  - o maximising the potential for carbon sequestration. This can only be achieved by maximising the total biomass carrying capacity.
  - o offsetting CO<sub>2</sub> production through maximising the exploitation of RE.
- Enabling the DNP area to contribute to its full potential in assisting Devon to achieve a target of net zero CO<sub>2</sub> by 2030 or sooner.
- Mitigating the Extinction Crisis by optimising the biodiversity of the DNP area.

3. Carbon Sequestration 3.1 Scientific evidence indicates that the original Holocene woodland that began to develop as the ice retreated some 11,000 years ago eventually became a closed canopy, partially kept open by grazing animals, at about 6,000BC. This woodland could accurately be described as temperate rain forest particularly in the wetter western side of the country. 3.2 It represented the pinnacle of biodiversity with maximal carbon carrying capacity. It was an ecosystem that we are unlikely to see again. Nevertheless it provides us with the ideal model or yardstick by which we can measure our efforts to mitigate and adapt to the threats that currently face us as a result of our past and ongoing lifestyle. 3.3 This climatic climax ecosystem persisted for the next two millennia. The first evidence of deforestation began about 4,000BC and gathered pace through the Bronze Age and early Iron Age when all of the current moors of southwest England were increasingly subject to agrarian settlement. 3.4 Settlers were attracted by the relatively thinner tree cover and lighter soils of the higher ground which made deforestation and subsequent tilling of the soil easier to achieve than in the denser forest and heavier soils of the lowlands. 3.5 Since then the deforestation has continued albeit at a slower pace until now, where all that is left of the original blanket forest are remnants mostly on slopes too steep to be worth clearing. 3.6 The current extent of the deforestation can be seen on the plan on the next page which appears in the 'State of the Park Report 2017'. 3.7 This report identifies 12% of the park area as woodland. This is below the UK average of 13% but above the average for England of 10%. 3.8 Actively managed forest plantations make up 56% of the woodland with 26% of the wooded area of the National Park classed as ancient semi-natural woodland, 294ha of which are 'plantations on ancient woodland sites' (PAWS). 3.9 The true semi-natural ancient woodland therefore occupies less than 2,700ha of the park. This amounts to 2.83% of the DNP area.

3.10 Section 3 moorland and woodland together occupy 83.9% of the park of which the moorland area must be, by deduction, 71.9%. 3.11 The State of the Park Report 2017 goes on to say "The conservation of the moorland is central to the National Parks fulfilment of its statutory duty to conserve and enhance the natural beauty of Dartmoor." 3.12 This is the dominant theme throughout the development plan and the DNP Management Plan 2014-2019 as it has been in all previous development and management plans. 3.13 We believe that this theme needs to be challenged. Is it natural? It is certainly of nature in that all of the elements that make up the assemblage of flora and fauna that constitute Section 3 moorland are natural and (with the exception of the domestic livestock and the ponies) the majority are native to the British Isles. 3.14 However it is not the assemblage of flora and fauna that nature left to its own devices would create ie. the climax ecosystem that existed within the DNP area 8,000 years ago prior to the commencement of human pastoral activity, effectively temperate rain forest.

3.15 The moorland of today is a highly managed artifice. It is not a wild landscape it is completely tamed by the hand of man. Swaling is the term that describes the controlled burning of the moorland during the winter months. Apparently the following “Overgrown vegetation on open moorland restricts public access and, during the warmer months, presents a significant risk of wild fires....” is part of the justification. But actually it is to prevent the return of the natural succession which, if left unhindered, would eventually restore the rainforest. 3.16 The burning is supported, in fact largely undertaken, by the farmers and commoners to enhance the quality of the grazing for their livestock.

3.17 It is also supported by the DNPA, through the Ranger Service, as it maintains the moorland landscape with its long distance views that tops the list of the ‘Special Qualities’ of the national park. 3.18 Ironically when we see similar activity occurring in other parts of the world we react with horror and revulsion. Such is the prevailing attitude of the British media and the public to the recent increase in the destruction of the Amazon forest under the policies of the Bolsonaro regime in Brazil. 3.19 Clearly the encouragement of unregulated mining and the impact on indigenous tribes are significant differences between the activities in Amazonia and Dartmoor. But, whether it is forest burning for agriculture in Brazil or moorland burning for agriculture on Dartmoor, the purpose is to deforest the landscape and the result is that large quantities of CO<sub>2</sub> are released into the atmosphere. 3.20 How would we react to seeing a future map of the former Amazon rainforest area which depicted a situation parallel to the current Dartmoor map with only 2.83% of the tropical rainforest left unfelled? 3.21 It is SDCE’s view that the DNPA’s priorities need to change and that these changes should be reflected in the Development Plan. 3.22 It is no longer justifiable to place landscape at the top of the priority list. As we have indicated above the open, uninterrupted, long distance views from the moorland within the park come with a cost. That cost is that if this continues this area will play no part in addressing the Climate Emergency or the Extinction Crisis. 3.23 Maintaining the status quo will mean that the current carbon carrying capacity of the area will remain static as any new growth will be removed and released back to the atmosphere by the regular cycle of burning. 3.24 It does not have to be like this. The moorland area has the potential to lock up significantly more carbon than it currently does. Left alone this is precisely what it would do. 3.25 The management plan contains the following: “Carbon and Energy – Dartmoor is an exemplar of carbon reduction and climate change adaptation through carbon storage, energy efficiency, decarbonising products, and the production of renewable energy and heat.” We understand that DNPA is probably referring here to its own in-house policy to decarbonise and we commend it for its efforts to date which have resulted in a reduction of more than 40% since 2010. But, bearing in mind what we have pointed out in the paragraphs above and will go on to expand in the paragraphs following, we cannot accept that applying this to the wider ‘Dartmoor’ can be justified. 3.26 SDCE urges the DNPA to fundamentally change its priorities. Landscape, in other words the preservation of the deforested hillsides, should be deprioritised and replaced by policies that encourage and facilitate the regeneration of the natural woodland. 3.27 We note what the plan says on page 6 that the plan cannot “control things which are not ‘development’, such as vegetation cover or land management” but there is still a policy referring specifically this subject.

3.28 Strategic Policy 2.4(2) Conserving and enhancing Dartmoor’s moorland heathland and woodland aims to control development within areas of conservation importance. SDCE agrees with the principle of controlling development in these areas. But either this policy or new policies need to be developed to facilitate the transition to a more natural ecosystem in these conservation areas that is capable of maximising the biomass carrying capacity and hence carbon sequestration. 3.29 We believe that the ratio between moorland and woodland should be reversed as a matter of priority. Rather than 72% of the DNP being open heath and moorland we should aim for 72% woodland. 3.30 All that needs to happen is to stop the burning and the forest will rapidly return through the natural process of succession. 3.31 This would undoubtedly affect the grazing by reducing the available grass and conversely the presence of livestock will reduce the rate of woodland regeneration. However, such a reduction in livestock numbers is broadly in step with the current trend of reduced red meat consumption. 3.32 Young regrowth forest can lock up 6 tonnes of carbon per hectare per year. 72% of the park amounts to 68,700 ha<sup>6</sup>. Which means that reafforesting the moorland area of the park could sequester 412,000 extra tonnes of carbon per year. 3.33 To put this into context it is estimated by the Committee on Climate Change<sup>7</sup> (CCC) in its 2018 Progress Report to Parliament that in the UK the average GHG emissions are 8 tCO<sub>2</sub>e/person/annum if measured on a production basis or 13 tCO<sub>2</sub>e/person/annum if measured on a consumption<sup>8</sup> basis. 3.34 Therefore the 33,000 population of the DNP area will each year produce 264,000 tCO<sub>2</sub>e on a production basis or 429,000 tCO<sub>2</sub>e on a consumption basis. 3.35 One could therefore argue that this change of policy would just about allow the DNP area to become carbon neutral in terms of the resident population. 3.36 However this would not offset the CO<sub>2</sub> production by the 2

million day visitors<sup>9</sup> to the park each year. Nor will it allow Dartmoor to make any nett contribution to the overall Devon County CO<sub>2</sub> sequestration. 3.37 Further policy changes would be needed to offset the atmospheric carbon generated by visitors or for the DNP to contribute to the county or national effort to achieve zero carbon.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

The Local Plan does not directly control farming or forestry systems, or vegetation cover. As such it cannot significantly influence sequestration rates. The biodiversity net gain policy 2.3 (2) improves how development accounts for biodiversity in the planning system.

The protection given to landscape in the Local Plan is protection from harmful development. This protection does not extend to practices which are not development, such as farming, forestry, tree planting, and rewilding, which the Local Plan has no direct control over.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0194

**Name:** Jan Smallacombe

**Organisation:** Tavistock Town Council

**On behalf of:**

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**Rep. Number:** 1

**Local Plan Section:** All **Paragraph/policy** All

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** No

**Detail of representation:**

Following your e-mail of the 12th September 2019, I can confirm that the matter was discussed at Tavistock Town Council's Development Management Committee Meeting held on 14th October 2019 with a recommendation being made to the full Council Meeting held on 2nd October 2019.

Please see the response from Tavistock Town Council, as below;

- Thank the National Park Authority for the opportunity to comment on the Consultation Draft Local Plan Review;

- Express Tavistock Town Council's support for the policies contained in the Plan, in particular those policies to which special attention had been drawn, namely overriding strategy, sustainable development, spatial strategy, local centres, rural settlements, villages and hamlets, open countryside, major development, promoting good design and sustainable development, housing requirements, affordable and local housing, sustainable transport, business and employment, renewable energy development and settlement boundaries and site allocations.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

**Authority proposed action:**

None proposed.



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**Respondent Number:** 0197

**Name:** Peter Brown

**Organisation:** Newton and Noss Environment Group

**On behalf of:**

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**Rep. Number:** 2

**Local Plan Section:** All **Paragraph/policy** All

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** No

**Detail of representation:**

c.If you are not responding to the climate emergency, what exactly are you trying to conserve on the Moor? It would appear to be a post-industrial, early 20C status. The moor is now generally an over-grazed heathland with trees confined mainly to the steep river valleys. The biodiversity of this landscape is far lower than it would be if allowed to develop into a “natural” mixture of open canopy woodland, and moorland, rather than the result of human activity which it represents. In reality it is a “human artefact” landscape, managed to favour sheep rearing rather than biodiversity. Yet elsewhere we are all being encouraged to cut back on our lamb and beef eating, and the EU CAP is due to be replaced by a policy that rewards improving the Natural Capital of the land, which is totally at odds with your plan. Your practice of burning the gorse (swaling) within the park is an example of this traditional, but inappropriate, management and in the process kills thousands of reptiles, small mammals, insects and tree seedlings, and poisons the atmosphere we breathe with smoke containing particulates, CO2, dioxins and other noxious chemicals. You are doing the opposite of improving the natural capital of the land in your care, and your policy 1.2(2) Sustainable development in Dartmoor National Park of maintaining this status quo is actually anything but sustainable.

d.The UK has the least tree cover in Europe, around 13% (<https://forestresearch.gov.uk>), compared with 45% EU average (<https://www.europeanwood.org.cn>), while that of Dartmoor is only reported by you to be even less at 12.5% (ref. DNP “Farming and Forestry Review Paper Feb 2019”). However even 40% of this small cover is, in our opinion, inappropriate being mainly Sitka Spruce rather than indigenous *Pinus sylvestris* or mixed native deciduous species. The Parkland could probably manage to increase the proportion of its mixed woodland to 70% at the expense of open moorland, without losing any of its more important habitats.

e.The mire and blanket bog habitats are very special and must be conserved, and sufficient open spaces kept for ground-nesting birds such as lark, but significant areas should also have their grazing restricted in order to allow reforestation by indigenous species, with fencing if need be. There is too much dominance of the one over-grazed habitat. While beauty may be in the eye of the beholder, the invertebrate, mammal and bird count in such a suggested mixed landscape is undoubtedly of much greater visual value than the present open moorland, and would enhance the nature experience including the biodiversity for those enjoying the recreational opportunities in the Park. The Park in other words should have a greater diversity of habitat and interest than a present, increasing the tree biomass considerably, and enhancing the experience of visitors. Grazing animals, sheep and ponies, help keep the open spaces open, but overgrazing tends to create a monoculture.

f.The rentals paid to landowners and commoners compensates any loss of earnings from reduced grazing from reforestation, and as subsidies for uneconomic upland farming are likely to be changed soon to a system of compensation for adding value to Natural Capital, this change of use should be welcomed.



g. None of us can ignore the global Extinction Crisis. The latest State of Nature Report (2019) shows a further steady decline in biodiversity in the UK, and the National Parks should be showing a good example by leading the way in reversing this potentially catastrophic trend. The report shows that 41% of UK species studied have declined, 33% show little change and only 26% have increased since 1970. The Science Director at the National Trust, Rosie Hails, said "We are now at the crossroads, and we need to pull together with actions rather than words to stop and reverse the decline of those species at risk as well as protecting and creating new habitats in which they can thrive."

h. Those penning this Report must understand that, in order to preserve life as we know it for our grandchildren and beyond, we will have to take actions that have been likened to putting the nation on a war footing. Everyone must play their part, and DNPA should not try to avoid the draft!

i. While the Climate Emergency is having, along with other factors, a catastrophic adverse effect on nature, the origin is recognised to lie in our burning of fossil fuels, and it is therefore imperative that we achieve (not "aim" or "target") Zero Carbon as soon as possible. Yes, the transition will be uncomfortable, but not doing so is far more unthinkable, and ultimately costly!

j. Zero Carbon can only be achieved by a combination of switching to renewable energy, and sequestering carbon. The latter has already been alluded to by suggesting a significantly greater increase in the tree biomass on the moor, young forest locking up 6 tonnes of carbon per hectare per year, so that Dartmoor's potential for this single action works out around 412,000 extra tonnes of carbon every year. Also very important is acting to ensure the moorland peat remains wet (CO<sub>2</sub> is released once it dries). The huge carbon sequestering abilities of peat have only recently been fully realised.

k. But Dartmoor must play its part in renewables (RE) as well. Very little RE exists within the Park (about 9MW). Renewable energy installations such as solar and wind should be allowed discreetly in locations close to local populations in and around the moor. This has been achieved successfully elsewhere in sensitive areas. For example, the wind turbine at South Brent is in community ownership and has made a great difference to the local community by encouraging and financially assisting the difficult transition towards zero carbon locally. Likewise, the parishes around the Yealm Estuary have community ownership through Yealm Community Energy of a 5MW solar farm at Newton Downs, and a second, 7.3MW, is under construction at Creacombe Both are in an AONB. Again, the surplus funds from the farms are being put to good use lowering the community carbon footprint in 5 parishes and enhancing the Natural Capital in the area. These are models that DNPA could follow with justification ([www.yealmenergy.co.uk](http://www.yealmenergy.co.uk)).

l. Additionally, consideration should be given to commercial wind turbine location at higher altitude where the conditions are particularly favourable for them. Policy 6.6 (2) states: "3. Large scale RE development will not be approved" and we therefore feel this policy is not appropriate under the present circumstances. I have just returned from Scotland and the Pennine areas, where wind turbines have been deployed with great effect, and have not interfered with any pre-existing activities. Nor would they interfere with the re-forestation policy mentioned in c. above.

m. How can you reconcile this policy 6 with your description of the plan "put(ting) climate and environment at the centre of policy and practice"? You need to understand that to avoid climate disaster the transition requires "... a rapid, far-reaching and unprecedented changes in all aspects of society" (IPCC). 60%-70% of Devon's wind potential is located on Dartmoor, and if Devon is to achieve its carbon neutrality you cannot afford to squander that resource.

n. Devon County Council has declared it wants to go Carbon Neutral, but in order to do this the combined cycle gas fired power station at Langage, close to the south west boundary of the Park, will have to close. Wind turbines on Dartmoor would more than compensate for this loss.

o. You must understand that these transitional projects (something better will evolve eventually but we don't have time to wait) are temporary (20-30 years) and due to modern construction methods, the land can be completely restored "as was" on completion of the planning period.

p. We therefore urge you to change your priorities and philosophy of management of the Park to consider the Climate Emergency and 6th Mass Extinction which we are currently witnessing. Everyone must play their part, which amounts to much more than just 'housekeeping'. Live up to your own words: "the purpose is to put climate (and environment) at the centre of policy and practice."

**Modifications necessary to make the Local Plan compliant:****Authority response:**

The planning system controls development, it does not directly control agriculture or forestry systems. or have significant influence over how they are carried out in the National Park.

The Local Plan pursues ambitious policies to enhance biodiversity alongside development, the Natural Environment Topic Paper discusses our approach to this in further detail.

Renewable energy development which conserves the National Park's Special Qualities is supported through the policies of the Local Plan. Many small-scale domestic renewable energy installation benefit from permitted development rights.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0197

**Name:** Peter Brown

**Organisation:** Newton and Noss Environment Group

**On behalf of:**

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**Rep. Number:** 1

**Local Plan Section:** All **Paragraph/policy** All

**Is the Local Plan sound?:** No

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**No

**Hearing session(s)?:** Yes

**Why?** Because you do not appear to be receiving any advice on the very serious state that the natural world is currently in, or are choosing to ignore it and carry on largely as before.

**Did respondent comment on Reg 18 Local Plan?:** No

**Detail of representation:**

The Newton and Noss Environment Group has been established since 2006. We are concerned with conserving local habitats for wildlife and plants, and to increase the native biodiversity, and where possible combat the invasion of native species with the cooperation of professional agencies such as Natural England and AONB.

We have concerns about the whole philosophy of this plan, and therefore cannot comment on specific itemised minutiae but rather on the principles that these points display. We have used your form as far as possible, but it is not really designed for a critical analysis. Our apologies for this, and we hope we have conveyed our thoughts better to you in this way.

**Modifications necessary to make the Local Plan compliant:**

a.Are you legally compliant? Most of the world has now recognised we have a climate emergency, and indeed you (Dartmoor National Park Authority) declared one yourselves on 26th July 2019, yet this plan does seem to recognise that all of us, even the DNPA, must respond strongly and positively to this emergency.

b.May I draw your attention to your own priorities? They are states as:

i.National Parks First Purpose – To conserve and enhance the natural beauty, wildlife and cultural heritage of the area

ii.Minimise our impact on climate change

iii.Respond to climate change.

Your plan pays no respect to the IPPC evidence reports, to the Paris Agreement, nor even to the rather weak targets set by our own government. It is as if DNPA exists in its own bubble out with the planet and even its own declarations! Your priorities are therefore not followed in the plan.

**Authority response:**

The policy position is a careful balance taking into consideration various policy alternatives, development viability and national policy. A full discussion on how the Authority has arrived at this policy position is available in the Reducing CO2 emissions in new development policy research and recommendations paper and the Design and the Built Environment Topic Paper.

**Authority proposed action:**

None proposed



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**Respondent Number:** 0060

**Name:** Hannah Lorna Bevins

**Organisation:** Wood E&I Solutions UK Ltd

**On behalf of:** National Grid

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**Rep. Number:** 1

**Local Plan Section:** All **Paragraph/policy**

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

We have reviewed the above consultation document and can confirm that National Grid has no comments to make in response to this consultation.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0074

**Name:** Gary Parsons

**Organisation:** Sport England

**On behalf of:**

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**Rep. Number:** 1

**Local Plan Section:** All **Paragraph/policy** All

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

Thank you for consulting Sport England on the above Local Plan first draft (Reg 19) document.

Sport England is the Government agency responsible for delivering the Government's sporting objectives. Maximising the investment into sport and recreation through the land use planning system is one of our priorities. You will also be aware that Sport England is a statutory consultee on planning applications affecting playing fields.

The new Sport England Strategy 'Towards An Active Nation' (2016-21) identifies key changes in the delivery of the strategy:

- Tackle inactivity: more money and resources
- Invest in children and young people to build positive attitudes to sport and activity
- Help those currently active to carry on, but at a lower cost to the public purse
- Put customers at the heart of what we do/be welcoming and inclusive
- Help sport to keep pace with the digital expectations of customers
- Encourage stronger local collaboration to deliver a joined up experience for customers
- Working with a wide range of partners, using our expertise and investment to align
- Applying behaviour change principles to encourage innovation to share best practice

Sport England has assessed this consultation in the light of Sport England's Planning for Sport: Forward Planning guidance <https://www.sportengland.org/facilities-and-planning/planning-for-sport/planning-for-sport-guidance/>

The overall thrust of the statement is that a planned approach to the provision of facilities and opportunities for sport is necessary, new sports facilities should be fit for purpose, and they should be available for community sport. To achieve this, our objectives are to:  
PROTECT sports facilities from loss as a result of redevelopment  
ENHANCE existing facilities through improving their quality, accessibility and management  
PROVIDE new facilities that are fit for purpose to meet demands for participation now and in the future.

Sport England believes that sport has an important role in modern society and in creating sustainable and healthy communities. Sport and physical activity is high on the Government's national agenda as it cuts across a number of current topics that include health, social inclusion, regeneration and anti social behaviour. The importance of sport should be recognised as a key component of development plans, and not considered in isolation.

The following comments are provided within the context of:

- The National Planning Policy Framework (MHCLG, 2019).

- Sport England's Planning for Sport webpages (2019).

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0132

**Name:** Bas PAYNE

**Organisation:** Moretonhampstead Parish Council

**On behalf of:**

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**Rep. Number:** 1

**Local Plan Section:** All **Paragraph/policy** All

**Is the Local Plan sound?:** No

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**No

**Hearing session(s)?:** Yes, I wish to participate in hearing session(s)

**Why?** This response is – as requested – brief. If the Inspector wishes to explore the issues we raise, we are of course very willing to assist.

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

Initial comment:

We have found DNPA's insistence on comments being made separately on each policy, and separating supporting comments and objections, difficult to work with, and counterproductive. Policies often need to be considered in relation to each other in order to be "joined-up". We tried to make our comments on the first draft comply with DNPA's request; we hope the Inspector will understand our reluctance to do so again at this stage.

We have as a result submitted separately in tabular form, our comments on different policies in the first draft, the effect that these have had, and our suggestions and comments at this stage. Here we make more general comments on soundness and on the duty to co-operate.

Soundness:

Housing: Our primary concern is with the lack of soundness of the policies relating to housing. The final draft local plan (Policy 3.1) proposes an indicative target for the National Park of 65 new homes a year (with around 69 houses proposed for the three allocated sites in Moretonhampstead (Policies 7.10-12)). This target is based on the need to attract more younger people and families, which we support. However the population modelling used is not documented in a way that allows us examine its method and assumptions and so test its soundness, and, given the fact that the definitions of affordable that are used aren't realistically locally affordable given the ratio between average market price and average local wages (Final Draft p.58), the 45% affordability target, and DNPA's past poor record of delivering on affordability targets, it seems to us highly unlikely that putting 65 new homes on these sites will deliver any significant number of genuinely affordable houses. Instead, it's likely to attract more wealthy older buyers, which isn't what Moreton needs or wants, would place even more strain on traffic and parking - issues which aren't addressed affectively by Policy 4.3, and would have a damaging impact on the appearance and feel of the town without adequate balancing gain.

We would comment that it seems to us that part of the problem lies in DNPA's failure to take sufficiently into account issues which it doesn't have direct responsibility for, such as traffic, parking, and social housing (which DCC and TDC are responsible for).

Sustainability: We are increasingly concerned also at the lack of coherent and sensible policies in relation to sustainability and environmental impact. It seems to us to make little sense, for instance, in insisting on the use of traditional local materials (Policy 1.7) while at the same time preventing their local extraction (and the employment this would create), resulting in the need to ship granite and slate in from China, India and Brazil. Many of DNPA's current environmental policies (e.g. Policies 1.7, 2.3 and 4.5) appear to be unlikely to deliver real and cost-effective benefit.

The duty to co-operate:

Moretonhampstead Parish Council carried out a survey of local opinion last year, in order to better inform



our response to the first draft local plan. We received nearly 400 replies from local residents – something like 25% of the number of registered voters in the parish - which is an unusually large response for such surveys, evidence both of the concern local residents feel, and of the care we took to encourage participation. We took no position prior to or during the survey to influence responses – we simply wanted to know what our community thinks.

We kept DNPA informed through this process, sent them copies of everything and invited comments; sadly we received very little response. We are submitting separately a copy of the survey as part of our response to this consultation.

At the time of the consultation on the first draft local plan, we submitted around 25 comments on different policies, some supportive, some objecting, all based on the results of our local survey and further discussions within the community. Sadly, as the separate tabulated summary shows, we had little or no response from DNPA, and our comments had little effect on the Final Draft.

We would also comment that the timing of this most recent round of consultation is sadly typical of DNPA's failure to consult constructively. The Final Draft was published on 16 September; councillors were invited to a meeting the next day, before they had had reasonable time to read and assess the final draft. As our Parish Council, like many, meets only once a month, during the first week of the month, the 1 November deadline for comment has made it harder for us to meet and discuss the final draft and our response: DNPA should have recognised the problem and given us and other Councils time to consider the final draft and our response at more than one regular meeting between the publication date and the deadline.

### **Modifications necessary to make the Local Plan compliant:**

We feel that the housing policy needs to be recast, removing the "indicative target", and laying greater emphasis on the need for social rented housing, which seems to be the only realistic current way to provide affordable and flexible housing for young families, and on the need to consider infrastructure issues. This would give more hope to younger families, and reduce the risk of unacceptable environmental damage and pressure on an overstretched infrastructure.

We feel that the environmental and sustainability policies also need to be rewritten in order to provide real benefit at reasonably-affordable cost.

For other suggestions, please see the tabulation submitted with this response.

### **Authority response:**

DNPA are required to meet all types of affordable housing need supported by national policy. Housing Needs Assessments allow us to identify the most appropriate type for any given site. Further discussion on affordable housing types is available in section 2.5 of the housing topic paper.

### **Authority proposed action:**

None proposed.

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**Respondent Number:** 0200

**Name:** Tony Whitehead

**Organisation:**

**On behalf of:**

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**Rep. Number:** 1

**Local Plan Section:** All **Paragraph/policy** All

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** No

**Detail of representation:**

Two months ago, DNPA declared a climate and ecological emergency with a target of being carbon zero by 2025. I believe strongly that the proposed local plan should pause to consider if it is fit for purpose considering this declaration. While many aspects of the plan are good, there currently could be more in the plan to enable both DNPA or the communities that reside in the park boundary to both mitigate for and adapt to the climate emergency.

**Modifications necessary to make the Local Plan compliant:**

On the climate emergency in specific there are four areas where I believe improvements can be made:

1. Renewable Energy Creation
2. Sustainable New Housing and Energy Efficient Buildings
3. Transport
4. Sequestration Strategies

I will expand on each of these in the comments below.

**Authority response:**

Addressed in later comments

**Authority proposed action:**

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**Respondent Number:** 0131

**Name:** Hazel Jones

**Organisation:**

**On behalf of:**

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**Rep. Number:** 1

**Local Plan Section:** All **Paragraph/policy**

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

General comments

The document is well-produced and readable. Sections well defined and Policy boxes easy to identify. Readers should be made aware that this plan is one of a suite of documents which are mutually dependent and which need to have consistency throughout. All supporting documents should be fully referenced and hyperlinked to enable full understanding of the Plan.

We thought that what was stated in the text was not always adequately reflected in the Policies. This is critical to the credibility of the document as a whole. We found it strange that the Policies were not consistent throughout, in that what was declared as a policy in one section was not included in other sections despite being clearly applicable to all.

We felt that the Plan was rather too insular in approach, with few mentions especially in the policies of how the DNPA proposes to interact with adjacent authorities, especially those towns immediately outside the Park boundary, such as Okehampton, Bovey Tracey, Ivybridge and Tavistock. To be fit for purpose, the plan needs to be workable with their Neighbourhood and District Plans which should support of the National Park purposes. The onus is on the neighbouring authorities to contribute to these purposes. Implementation of the Plan requires some resource allocation (human and financial) plus in-house training. A section on this should be included in main body of the Plan.

A section on monitoring should be included on the main body of the Plan. Monitoring will likely have implications for policy revision during the life-time of the Plan. There should be a clear strategy for policy revision and consultation in this event.

It is important to consider throughout, the cumulative effects of development, especially the lighting impact on dark skies.

As regards Dark Skies:

There needs to be consistency in the terminology for Dark Skies or Dark night-time skies or Dark night skies, or even dark-night skies.

The references to the importance of dark night skies need to be strengthened especially in the Policies. There should be a clear consistent Lighting policy which applies to business, industrial and residential. It is important to consider 'light spill' of which we could find no mention in the document. This should be added in.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

The document will be completed with all hyperlinks once adopted.

The plan should be read as a whole, it is not necessary to caveat each and every potential constraint relating to a development type within each policy.

The Monitoring and Governance Topic Paper sets out the process for reviewing key policies.

Policy 2.5 (2) will be used to apply lighting standards to all new development in accordance with ILP standards.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0216

**Name:** Jeremy                      Sabel

**Organisation:**

**On behalf of:**

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**Rep. Number:** 1

**Local Plan Section:** All                      Paragraph/policy

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:**

**Detail of representation:**

Very pleased to see forward thinking policies on affordable housing, net gain, flood risk, climate change - we need national to step up and respond to the climate emergency.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0195

**Name:** Peter Crone

**Organisation:** South Dartmoor Community Energy Limited

**On behalf of:**

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**Rep. Number:** 5

**Local Plan Section:** All **Paragraph/policy** All

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** No

**Detail of representation:**

8. Wider implications 8.1 There is no reason to continue to rely upon the technology of the early industrial revolution which was based on harnessing the energy liberated from combustion. Combustion technology is essentially the controlled oxidation of the fossilised remains of former life on earth. 8.2 The primordial atmosphere of our planet Earth 4.5bn years ago did not contain free oxygen. It consisted principally of carbon dioxide with traces of other gases such as methane and ammonia. Nitrogen, being inert, started to accumulate in the atmosphere as a result of volcanic activity caused by continents colliding, what we now call plate tectonics. 8.3 Somewhere between 2.8bn and 2.7bn years ago primitive cyanobacteria started to produce oxygen as a by-product of photosynthesis. Oxygen became resident in the atmosphere some 2.45bn years ago, but it was another billion years before concentrations were sufficient to enable animals to evolve. 8.4 Since then, although nitrogen to oxygen ratios have fluctuated they have done so within a relatively narrow range. The oxygen concentration is probably maintained by the interaction between photosynthesising lifeforms, bacteria and plants, that produce oxygen from CO<sub>2</sub> and animals and other lifeforms that use up oxygen in respiration to regenerate CO<sub>2</sub>. 8.5 For 60% of the history of our planet life on Earth has been systematically removing CO<sub>2</sub> from the atmosphere and trapping it underground in various forms. For some 500m years the bodies of phytoplankton and zooplankton sank to the ancient ocean floor, were buried under sediment and under the action of heat their remains turned into oil or gas. About 300m years ago a similar process started to occur, where the remains of terrestrial plants mostly mosses and ferns became trapped under sediment and again under the influence of temperature and pressure formed a carboniferous rock – coal. In tropical seas about 100m years ago microscopic marine algae called coccoliths developed shells made of calcite. When they died and sank to the ocean floor their remains gave rise to the chalk and limestone layers of sedimentary rock.

8.6 We know that for the past 800,000 years the CO<sub>2</sub> concentration in the atmosphere has varied between 180 parts per million (ppm) during glacial periods to 280ppm during the warmer interglacials. A peak concentration of 300ppm occurred once some 340m years ago.<sup>16</sup> 8.7 The concentration now is 408.55ppm<sup>17</sup>, almost 50% higher than it was in 1760. 8.8 We have achieved this 50% increase in just 259 years since the start of the industrial revolution, an infinitesimally short period on the geological timeframe. 8.9 We have done this by systematically mining these ancient deposits to extract energy, in the case of the fossil fuels, or cement from the fossil limestone. Either way the result is that CO<sub>2</sub> that was locked up over the course of hundreds of millions of years is being released into the atmosphere. 8.10 These emissions are still rising steadily at 2.5ppm/annum and unfortunately there is no evidence of any levelling off let alone decrease. 8.11 Nevertheless SDCE's view is that a zero carbon world is achievable but it requires a radical change of mind-set and practice. We as a species need to evolve beyond fire, the primary tool of primitive man. We need to consign combustion technologies to the history books. 8.12 Whether it is the steam engine, internal combustion engines, gas turbines or jet engines combustion is always inefficient, only partially converting the energy available in the fuel to useful work. With diesel and petrol engines it is 20 – 35%, jets 50% and CCGTs peak at 62%. This means that

some 40% or more of the energy in the fossil fuel is wasted and converted into heat in the atmosphere. 8.13 Combustion plants generate volatile waste products, pollutants, not just CO<sub>2</sub> but carbon monoxide, sulphur dioxide, nitrogen oxides, unburnt hydrocarbons, particulate matter and dioxins. This potentially lethal cocktail will inevitably be released into the atmosphere. 8.14 We need to stop the burning, whether it is burning fossil fuels or burning forests and moorland. 8.15 We have the technology to do that. Wind power, hydro power and photovoltaics to create electricity, batteries and other emerging technologies to store it and heat pumps to take some of that power and convert it efficiently for space and water heating are all examples of technologies that do not consume oxygen and release CO<sub>2</sub>. 8.16 They are benign technologies that more closely resemble the mechanical and electrical processes that nature itself has developed to produce living systems. 8.17 SDCE would advocate that there should be policies in the DNP Development Plan which infer a presumption in favour of developments which incorporate these technologies to mitigate CO<sub>2</sub> production. 8.18 We believe that only when we achieve the deployment of these technologies across the board and exhibit combustion devices exclusively as curiosities in museums can we truly say that we are on a path to sustainability.

9. Conclusion 9.1 For the avoidance of doubt SDCE would like to take this opportunity to express that we are optimistic about the task that faces us in responding to the Climate Emergency and the Extinction Crisis. 9.2 We would also like to assure the DNPA of our intentions that, in our role as a community energy company based in an area that reaches across the DNP boundary that, notwithstanding all of the above, we would like to work in partnership to develop a policy framework that will stand the test of time and be truly sustainable. 9.3 For the sake of the generations that will follow us we have to succeed in developing strategies to mitigate and adapt to both the Climate Emergency and the Extinction Crisis. 9.4 Hitherto it has always been the practice of local authorities to seek leadership and guidance from central government. The Climate Emergency has already created a precedent that might lead to a new paradigm where it is local and sub-national authorities that take the lead in response to the wishes of their communities. 9.5 The response to the Climate Emergency is a notable case in point. Devon County Council declared a Climate Emergency on 21 February 2019, Plymouth City Council on 18 March and Teignmouth on 18 April. The national Climate Emergency was declared on 1 May 2019 and even then it was not instigated by the party in government. 9.6 If this is a sign of the times and a function of locality moving faster to address perceived problems within communities than central government is capable of doing on a national scale, then we are comfortable in pursuing that approach. 9.7 However we will still be pressing hard through our local MPs and other national representatives to expedite the policies that will protect wildlife, encourage biodiversity and facilitate the transition to a carbon neutral economy and a sustainable future.

#### **Modifications necessary to make the Local Plan compliant:**

##### **Authority response:**

The Local Plan is supportive of renewable energy proposals which do not have an adverse impact on the special qualities of the National Park. The Local Plan also directs development to places where there is less need to travel and requires installation of electric vehicle charging infrastructure which can benefit from renewable energy generation. Further discussion of why the Local Plan pursues the approach it does with regards climate change and renewable energy is available in the Natural Environment Topic Paper and Reducing CO<sub>2</sub> emissions in new development policy research and recommendations paper.

##### **Authority proposed action:**

A modification is proposed which makes the major development test the relevant consideration when determining if a renewable energy development is appropriate in the National Park or not.

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**Respondent Number:** 0131

**Name:** Hazel Jones

**Organisation:**

**On behalf of:**

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**Rep. Number:** 32

**Local Plan Section:** Appendix A **Paragraph/policy** Appendix A

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

p169 Monitoring of night sky quality should be carried out. An annual survey and report should be a requirement. This would include data on the cumulative effects of developments within and adjacent to the Dartmoor National Park.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

Whilst desirable, this is not currently considered proportionate. Ongoing work to achieve Dark Sky status will be looking to establish a baseline and recommend an ongoing monitoring framework.

**Authority proposed action:**

None proposed.



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**Respondent Number:** 0013

**Name:** Elliot Jones

**Organisation:** Boyer Planning

**On behalf of:** Cavanna Homes (South West) Limited

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**Rep. Number:** 12

**Local Plan Section:** Demographic F      **Paragraph/policy** Demographic Forecasts

**Is the Local Plan sound?:** No

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:** Yes, I wish to participate in the hearing sessions

**Why?** As set out in our representations submitted in response to this consultation, there are a number of concerns which relate to the soundness of the Plan as currently prepared. In light of these concerns it is considered necessary to participate at the EiP Hearing sessions in order to ensure such matters are fully considered and addressed through the Examination.

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

1.1 Boyer (Development Economics) is instructed by Cavanna Homes to submit representations in response to the Regulation 19 (Pre-Submission) Local Plan (2018-2036) Consultation Document.

1.2 The representations set out herein relate specifically to a review of the Dartmoor National Park Authority's ("DNPA") proposed housing figure and the associated housing need evidence for their emerging Local Plan. These representations should be read in conjunction with wider representations on the Consultation Document submitted under separate cover.

1.3 DNPA are currently reviewing their Local Plan and have recently published their Regulation 19 (final draft) consultation. The new Local Plan proposes a housing figure of 1,125 dwellings (65 per year) between 2018 and 2036. This figure represents an increase of 15 dwellings per annum (dpa) compared to the previous Local Plan figure of 50 dpa.

1.4 DNPA state that 65 dpa is not a target but is the level of development evidence suggests is necessary to reduce identified problematic trends including high unaffordability, a reduction in the working age population, under occupancy of homes by older people, a greater demand for services/facilities for older people and a decreasing demand for services/facilities for younger people.

1.5 On this basis, this note will review DNPA's proposed figure of 65 dpa and the evidence base which supports it. This includes;

□ Dartmoor National Park Demographic Forecasts – October 2016 (Edge Analytics) □ Dartmoor National Park Additional Scenario Analysis – June 2019 (Edge Analytics) □ Topic Paper 6 – Housing September 2019 (DNPA)

1.6 It will review the above in relation to the relevant national planning policy and practice guidance on housing need and will conclude on whether the figure of 65dpa is robustly evidenced.

## 2. POLICY CONTEXT

2.1 The National Planning Policy Framework (NPPF) 2019 made changes to the way housing need is to be assessed. Paragraph 60 of the NPPF states that to determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method set out in national planning guidance – unless exceptional circumstances justify an alternative approach which also reflects current and future demographic trends and market signals (Boyer emphasis).

2.2 The standard approach mentioned above involves using population and housing projections published by the Government and then making an adjustment for affordability based on median workplace-based affordability ratios (median house prices to median earnings of workers in that area) 1. However, as Dartmoor is a National Park there are no published population/household projections or affordability ratios, meaning that it is not possible to apply the standard methodology. On National Parks, the planning practice guidance (PPG) states that:

“Where strategic policy-making authorities do not align with local authority boundaries, such as National

Parks and the Broads Authority, available data does not allow local housing need to be calculated using the standard method set out above. Such authorities may continue to identify a housing need figure using a method determined locally, but in doing so will need to consider the best available information on anticipated changes in households as well as local affordability levels.” (Boyer Emphasis)

2.3 Based on the above, DNPA will need to provide robust and thorough evidence which includes current and future demographic trends and market signals.

### 3. DNPA EVIDENCE SUMMARY

#### Demographic Forecasts – October 2016 (Edge Analytics)

3.1 Edge Analytics undertook a review of various demographic forecasts for the National Park in 2016. They produced a range of scenarios including one which replicated the Government’s 2014 subnational population projections (SNPP)<sup>2</sup> and three alternative ‘trend’ scenarios which examined past migration trends over 6 years, 10 years and 13 years. It also included three ‘dwelling led’ scenarios which explored the impact of building 30 dwellings, 50 dwellings (current plan target) or 80 dwellings per year on the population.

3.2 The report found that in all but three scenarios (SNPP 2014, 50 dwellings and 80 dwellings) the population of the National Park declined. This was due to negative natural change (the balance between births and deaths) and demonstrated that migration was the key driver of population growth in the National Park.

3.3 The table below is an extract from the report and provides a summary of the various scenarios for information. The table shows that even at 80 dpa (1,600 over 20 years), there is only a household gain of 1,468 and only modest population growth of 1,800 people. This suggests that average household sizes are expected to be extremely small. [SEE TABLE IN ORIGINAL COMMENT]

3.4 A key finding of this report was that in the SNPP 2014 scenario, which equated to 73 dpa, all households under 65 years (by household representative person) were expected to decline, as shown in the extract in Figure 2 below. [SEE FIGURE IN ORIGINAL COMMENT]

3.5 The report states that the 80 dpa scenario provides sufficient internal migration to reduce the rate of ageing, maintaining a more youthful profile to the Park’s population. However, no household growth by age analysis is included for this scenario. This analysis would have been helpful as it is difficult to understand how an additional 8 dpa would achieve this given the figures shown in Figure 2.

#### Additional Scenario Analysis – June 2019 (Edge Analytics)

3.6 In 2019, Edge were commissioned to provide further scenario analysis for DNPA. This included two additional ‘dwelling led’ scenarios, one for 65 dpa and one which is referred to as ‘dwelling-led blended’ which considers the impact of 50dpa up to 2020 and 65dpa thereafter. It states the other assumptions remain as per the 2016 analysis.

3.7 A summary of the scenario results is shown below in Figure 3 for reference<sup>3</sup>. [SEE TABLE IN ORIGINAL COMMENT]

3.8 The 2019 report provides little further analysis of the impact of these dwelling figures on the age structure of the population and how these scenarios would address the demographic issues of ageing population and reducing economic activity.

#### Topic Paper 6 – Housing September 2019

3.9 DNPA have produced a series of topic papers to support the emerging Local Plan. Topic Paper 6 deals with all housing related issues including housing need. DNPA state that the topic paper draws largely from evidence prepared by Three Dragons and Associates working for DNPA. A request for a copy of the Three Dragons evidence was made to DNPA, and in response it was explained that there is no separate document and that their work is contained within Topic Paper 6. We return to this point in the analysis section of the note.

3.10 The topic paper includes discussion on a range of housing related issues including sections on affordable housing need and market signals.

3.11 On affordable housing, it is noted that there is an identified need for 170 dwellings (35 per year over 5 years). This appears to represent the current backlog and it is not clear how (if at all) future affordable housing need has been considered.

3.12 On market signals, the paper discusses affordability ratios and concludes that Dartmoor’s 2017 housing affordability ratio was 12.34 for workplace-based earnings and 11.11 for residence-based earnings. It goes on to state that comparing workplace-based earnings, in 2017 Dartmoor National Park was the 55th most unaffordable of 326 Local Authority areas in England and if London is discounted Dartmoor becomes the 28th most unaffordable such area. The paper also briefly reviews house prices and found that average house prices in the National Park are increasing and are 15% above Devon’s average and 29% above the national average. We return to these points in the analysis section below.

3.13 The paper also includes some analysis of the various demographic scenarios produced by Edge, however it only appears to include the 30, 50 and 80 dpa scenarios originally modelled by Edge in 2016.

#### 4. ANALYSIS

4.1 As noted in the policy review section, as a National Park, DNPA are unable to use the standard approach for calculating housing need, however they are still required to provide robust evidence demonstrating that they have considered both demographic trends and market signals in their assessment of housing need.

4.2 In the draft Local Plan, DNPA state that a housing figure of 65dpa will reduce the scale of identified demographic issues including an expected decline in the working age population and increase in the older population. However, it is not clear from the evidence how this conclusion has been reached and indeed if it is a valid conclusion that can be drawn from the evidence base work.

4.3 Whilst DNPA have published two demographic studies to support the Local Plan review, these are mostly focused on 'dwelling led' scenarios where the housing number is an input rather than an output of the modelling. This means that it is a 'policy on' approach and therefore, this work cannot be considered to be a true objective assessment of housing need.

4.4 The Housing Topic Paper (para 4.13.3) states "The recommendation of Three Dragons is that, on balance, the most appropriate baseline figure from a policy off perspective (i.e. equivalent to an OAN) is 30 dpa. This is based upon the 10 year localised demographic trends (taken either with the adjustment factor from the standard methodology or with a 30% uplift for market signals to reflect affordability pressures and vacancy rates)." However, it is not clear from the Housing Topic Paper how or why this conclusion has been reached and as noted above, separate evidence/analysis from the Three Dragons work is not available. In addition, this conclusion does not seem to be supported by the demographic work produced by Edge which shows that the 2014 SNPP scenario (which would be equivalent to the base projections used in the NPPF/NPPG's standard approach) results in a dwelling figure of 73dpa.

4.5 As discussed above, the 2016 Edge report shows that in the SNPP 2014 scenario, which at 73dpa is 8 more than the proposed housing figure of 65dpa, a decline in all households under 65 is expected (based on the household representative person<sup>4</sup>).

4.6 In paragraph 318 of the 2016 Edge report, it is stated that "Under the Dwelling-led +80 scenario, with an annual growth in the number of dwellings, the higher level of positive net internal migration is sufficient to reduce the rate of ageing, maintaining a more youthful profile to the Park's population". However, it is once again not clear how this conclusion has been reached as household growth broken down by age is only provided for the SNPP 2014 scenario. It is difficult to understand how an additional 7 dpa would reverse the significant aging of the population previously outlined and therefore the inclusion of this analysis would be helpful.

4.7 The 2019 Edge report models the 65dpa and 'blended' 50/65 dpa scenarios and is therefore completely 'dwelling led'/'policy on' and provides very little analysis of how these housing figures will impact the population structure, economy and infrastructure requirements of the National Park. Paragraph 2.5 states that population ageing in the National Park is inevitable given the existing age profile of the population but that housing growth and its effect on the net migration profile, would moderate the future imbalance between the younger 'working age' groups and older age population. Despite this statement it does not provide any update to the household age analysis previously provided in the 2016 analysis.

4.8 A shortage of homes impacts most significantly on younger households which are those entering the housing market or trading up. This has the effect of delaying couple and family formation rates and results in this segment of the population putting their lives on hold. Rather than addressing the issue of a declining working age population, the result of a low housing supply is to disproportionately impact upon the young adult / most economically active segment of the population. In order to address this imbalance, new housing will need to cater to the needs of couples and families with both younger and older children.

4.9 A decline in the working age population would have a significant impact on the economy of the National Park. It would negatively impact the businesses that operate there and could lead to unsustainable commuting patterns. It would also severely impact health and social infrastructure provision; for example putting greater strain on health facilities as the population ages and potentially leading to school closures as the school age population declines.

4.10 Both Edge reports only provide demographic analysis and therefore, notwithstanding the concerns noted above, are unable to provide a true assessment of housing need as they do not include any analysis of market signals. As noted in the policy review section, the NPPF requires market signals to be taken into account and an uplift to be included where affordability is an issue. It cannot be denied that affordability in DNPA is an issue with house prices significantly above the values achieved in neighbouring authorities and the rest of the County.

4.11 The brief market signals section included in the housing topic paper concludes that affordability is poor in the National Park. However no uplift in the housing target is included to address this.

Additionally, there is no discussion or analysis in the topic paper which considers how increasing dwelling numbers could act to improve affordability or affordable housing delivery.

4.12 In addition, another important factor to consider in the housing need of the National Park is the rate of second and holiday homes.

4.13 Second and holiday homes in the National Park are acknowledged as a significant issue in the Housing Topic paper. However, whilst an 8% 'vacancy' rate based on the 2011 Census is included within the demographic analysis in converting population to households, the topic paper acknowledges that some areas including Moretonhampstead have much higher vacant/second home ownership levels at 12-15% according to the 2011 census. Given that the 2011 census is now 9 years old and that there was a +5% increase in vacant/second homes between the 2001 census (3%) and 2011 census (8.4%), it is very likely that second and holiday home proportion of the overall DNPA has increased further. A local survey to establish an up to date picture of second home and holiday home would have been justified as this is such an important aspect of housing need in areas such as National Parks.

4.14 We consider that this issue and particularly the impact that second homes being taken out of the housing supply has on the local housing market when combined with issues over local affordability should have been more thoroughly addressed in the housing need analysis for the National Park. These two market signals by themselves and in combination would be sufficient to justify an uplift to the base household need. That this has not been undertaken is in our view a significant failing of the evidence base which calls into question the robustness of target currently set.

4.15 From the evidence published it is not at all clear how the figure of 65dpa has been derived and it is not possible based upon the evidence base work undertaken by and on behalf of DNPA to determine the impact that the delivery of 65dpa will have on the range of issues identified by DNPA including affordability and the ageing population.

## 5. CONCLUSION

5.1 It is accepted that there are issues relating to development in a National Park however equally important is securing sustainable and balanced communities and the need to have a level of economic activity to support the ongoing viability of existing/established settlements, services and businesses based within the National Park.

5.2 DNPA have proposed a housing figure of 65dpa however our review of their evidence base is unable to determine the basis upon which the figure has been selected and what the implications and impact of the target selected will be. We therefore strongly question whether it is true assessment of housing need or as we believe an arbitrary number selected without any empirical basis or understanding of consequences.

5.3 DNPA state that this figure is not a target but represents the level of development that their evidence suggests is necessary to reduce identified problematic trends including high unaffordability, a reduction in the working age population, under occupancy of homes by older people, a greater demand for services for older people and a decreasing demand for services for younger people.

5.4 However, as our analysis has clearly demonstrated there is no evidence provided to demonstrate that 65dpa will address the problems highlighted. We do not believe that the 65dpa target will be effective and it is in our view clear from the DNPA's evidence that a higher figure of 73dpa does not address the demographic imbalance between economically active and inactive and the consequences this imbalance creates for local services and sustainable employment patterns.

5.5 DNPA have not published sufficient evidence to justify this statement and we doubt they could provide the evidence to justify this in any case. It is instructive that the demographic evidence in Edge's 2016 analysis seems to suggest that a figure of 73pa would result in a decline in all households under 65 (based on household reference person) however the same analysis was not included in the Edge 2019 report which assessed the impact of 65 dpa. From the evidence presented it not possible to determine an appropriate housing need figure for the National Park however, it is clear that it is in excess of 73dpa.

5.6 Whilst it is acknowledged that as a National Park, the standard approach to assessing housing need cannot be used, the NPPF and NPPG require DNPA to provide robust evidence demonstrating that they have considered both demographic trends and market signals. Our review of the evidence published to date leads us to the conclusion that that what has been provided does not adequately address market signals and factors such as second/holiday homes and affordability issues. It cannot therefore, in the absence of evidence and testing be robustly concluded that the 65dpa target which is being proposed is sound.

## **Modifications necessary to make the Local Plan compliant:**

### **Authority response:**



Additional household growth Sceneria Analysis was undertaken be Edge Analytics and published (dated June 2019), this includes age profile scenarios and informed the profile chart at P58 of the Local Plan.

There is no prescribed methodology for determing housing need in the National Park context, indeed each National Park tends to approach this differently, though all do so from the recognition of the fact that evidence must be adequate and proportionate (as set out in the NPPF). Given that the NPPF recognises the scale of development will be less in a National Park, and considering that the availability of published evidence is poor for National Parks, it is reasonable that a bespoke and proportionate approach is taken. The approach taken by DNPA is led by professional housing consultatants with extensive experience in National Parks and rural areas.

The Three Dragons technical report is a submission document alongside the Local Plan, and this, together with the Housing Topic Paper and the Regulation 22 Statement provide a clear narrative and decision making trail in respect of the housing numbers.

The Edge Analystics (2019) report identifies a lower OAD, and provides ageo profile projections for the the 65 unit dwelling-led and blended scenarios. In considering different growth scenarios, the Housing Topic Paper notes "Projections indicate that a level of population growth would reduce the proportion of ageing population and loss of working age people. Importantly this cannot be seen as a tool in isolation though, and is dependent upon associated policy tools which aim to deliver houses of a type, size, tenure and in a location which foster a maintenance of the working age population. Equally important is that the policy driver of population balance does not lead to such shift that we lose sight of the principle goal of affordable housing. An indicative delivery figure which is growth driven in response to population change could lead to either an over-delivery of affordable housing, beyond identified needs, or a clear erosion of the priority for affordable housing delivery which leads to greater growth and land take inconsistent with local goals, constraint, and national policy context. "

The matter of second homes ownership is being kept under review, as described in the Housing Topic Paper. In the absence of more detailed and up to date information, and given the analysis around the patterns of second home ownership which are considered to be a reasonable and proportionate response, there is not evidence to justify an uplift. Indeed the response the authority is taking within the Local Plan responds already to challenges around second home ownership through the local occupancy self-build policy, and affordable and intermediate models require occupancy as a first residence. Indeed a more common response now in areas with compelling issues around second home ownership is to restrict market dwellings as principal residence. DNPA does not believe this is necessary currently, and indeed such restrictions are likely to impact on viability and the delivery of affordable housing. Instead DNPA is keen to continue to work with house builders to ensure that the new homes which do come forward are occupied as first homes.

Importantly, it must be recognised that the numbers being discussed here are very small, the availability of data is limited, and the accuracy and reliability of models founded on data must be recognise. Thus DNPA considers that the approach taken is reasonable and proportionate, and additional modelling as suggested is unlikely to yield changes which will be of significance in respect of the overall numbers. Coupled with the fact that the nuanced policy response DNPA has put forward is also very difficult to model, and based again upon very small numbers. For example approach such as altering M4(2) to encourage downsizing and freeing up family homes, local occupancy self-build combined with 'employed locally' in eligibility criteria, and sustaining the intermediate model to enable first steps to home ownership for young people and families. The detail of which cannot reasonably and accurately be modelled on the basis of such small numbers, and there a Plan, Monitor, Manage approach is entirely reasonable.

**Authority proposed action:**

None proposed

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**Respondent Number:** 0007

**Name:** Sue Green

**Organisation:** Home Builders Federation

**On behalf of:**

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**Rep. Number:** 1

**Local Plan Section:** Duty to Cooper      **Paragraph/policy**

**Is the Local Plan sound?:** No

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**No

**Hearing session(s)?:** Yes, I wish to participate in hearing session(s)

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

To fully meet the legal requirements of the DtoC Dartmoor National Park Authority (DNPA) should engage on a constructive, active and on-going basis with its neighbouring authorities to maximise the effectiveness of plan making. The Dartmoor Local Plan should be prepared through joint working on cross boundary issues. A key element of Local Plan Examination is ensuring that there is certainty through formal agreements that an effective strategy is in place to deal with strategic matters when Local Plans are adopted. As set out in the 2019 National Planning Policy Framework (NPPF) (paras 24, 26 & 27) the DNPA should provide a signed Statement of Common Ground (SoCG) between itself and Teignbridge District Council, Mid Devon District Council, South Hams District Council and West Devon District Council. The Plan should be based on effective joint working on cross boundary strategic matters that have been dealt with rather than deferred as evidenced by a SoCG (para 35c).

The DNPA has provided only a statement summarising its compliance with the DtoC rather than a signed SoCG as set out in the 2019 NPPF. The National Planning Practice Guidance (NPPG) (ID : 61-020-20190315) sets out that authorities should have a SoCG available on their website by the time of publication of the Draft Plan, in order to provide communities and other stakeholders with a transparent picture of collaboration and once published, authorities will need to ensure that any SoCG continues to reflect the most upto-date position of joint working. This has not been done by the DNPA.

Furthermore the DNPA has not undertaken a Local Housing Needs (LHN) assessment (see HBF representations on Strategic Policy 3.1(2) below). It is understood that the DNPA is seeking to ensure that its housing need is met outside the National Park across both the Greater Exeter Housing Market Area (HMA) and the Plymouth & South West Devon HMA and any development inside the National Park will be focused on delivering local affordable housing need. At this time in the absence of evidence on housing needs, it is not clear if housing needs will be met in full across both HMAs.

The adopted Plymouth and South West Devon Joint Local Plan is based on the provision of circa 600 dwellings within the South Hams / West Devon part of the National Park during its plan period. The Plymouth & South West Devon HMA authorities want to see this provision set out as a housing requirement in the Dartmoor Local Plan. There is also no agreement on future housing provision in the Greater Exeter HMA, since the change of political leadership in some constituent authorities, it is understood that the preparation of the Draft Greater Exeter Strategic Plan is delayed and no further public consultation will occur until June 2020.

It is vital that the DNPA agree a SoCG with relevant neighbouring authorities in the Plymouth & South West Devon and Greater Exeter HMAs respectively, which sets out an agreed position on housing needs and the meeting of any unmet needs arising due to constrained delivery in the National Park. If a SoCG is concluded and signed before the Dartmoor Local Plan is submitted for examination, the HBF may wish to submit further representations in written Hearing Statements or orally at the Examination Hearing

Sessions.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

A signed Duty to Cooperate Statement supports the Local Plan submission.

Further evidence of how the Local Plan will ensure that local housing needs are met is available in section 4 of the Housing Topic Paper.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0198

**Name:** Christopher Tofts

**Organisation:** Stephens Scown LLP

**On behalf of:** Imerys Minerals Limited

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**Rep. Number:** 3

**Local Plan Section:** Glossary                      **Paragraph/policy** Glossary

**Is the Local Plan sound?:** No

**Is the Local Plan legally compliant?:** No

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:** Yes

**Why?** So as to ensure that the Local Plan's policies (and supporting text) on minerals development is appropriate.

**Did respondent comment on Reg 18 Local Plan?:** No

**Detail of representation:**

(This comment should be read together with the comment in Part B – it is assumed that something which is not small-scale will be considered large-scale).

The Glossary definition of 'small scale' is ill-suited to minerals operations. The doubling in size of an existing smaller quarry may still constitute being 'small scale' under the Glossary definition, but could have significantly worse impacts for the NPA than a modest expansion to one of the existing larger quarries.

Determining whether something is 'small scale' on the basis of the prevailing scale of prevailing development in the surrounding area as a benchmark is fundamentally flawed approach to minerals development. We are not aware of any proper assessment of this approach. On this basis, it is anticipated that a small extension to an existing large quarry could never be considered to be 'small-scale' and would therefore "not be allowed" unless the exception applied.

It is submitted that the proper approach to 'small –scale' is to consider the effect on the NPA of the proposed development, not to only consider the existing size of the quarry. In that context, Policies M1 and M4 of the 2004 plan were an appropriate approach. Again, the drafting of the emerging plan appears to start on the basis that minerals operations are bad, whereas the previous policies adopted a qualitative approach. The 2004 plan policies refer to proposals which are damaging to natural beauty (etc), therefore, existing quarries which did not cause such damage would be prevented from developing under the emerging plan policies (unless they can show the exceptional circumstances etc) when that is not appropriate or necessary.

6.1(1)(3) has no qualitative consideration whatsoever! (Unlike M3 in the 2004 plan).

**Modifications necessary to make the Local Plan compliant:**

Replace the definition of small-scale so as to introduce a qualitative approach in para 6.1 such that it would allow expansion of a larger existing quarry where the effects were acceptable.

**Authority response:**

The 'qualitative' element of 6.1 (3) is effectively in the broader policy at 6.1 (4b) (the element the respondent suggested should be removed in an associated representation). The policy refers to 'small scale expansion', not expansion of small scale quarries.

It is unclear how under the definition in the glossary, which considers whether something would be small scale on the basis of the prevailing development in the area "a small extension to an existing large quarry could never be considered to be 'small-scale'". DNPA's views is that this is a clear example of



exactly where something would be considered small scale, against the context of a large quarry.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0046

**Name:** Corine Dyke

**Organisation:** Natural England

**On behalf of:**

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**Rep. Number:** 6

**Local Plan Section:** Habitat Regulation **Paragraph/policy**

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

South Dartmoor Woods SAC and Dartmoor SAC Para 5.5. We do not concur with the conclusion that there could be significant adverse effects arising from recreational disturbance on Dartmoor SAC and South Dartmoor Woods SAC. We advise that recreational impacts are not identified as a pressure or threat for South Dartmoor Woods (SAC) or Dartmoor SAC (see Site Improvement Plan: South Dartmoor Woods - SIP222 and Site Improvement Plan: Dartmoor - SIP054 ). The HRA and plan text (para 2.3.15) addressing this issue should therefore be revisited.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

DNPA have worked with the JLP Councils through the Duty to Cooperate to resolve recreational impact issues. With regards recreational impacts on Dartmoor's SACs, the Authority is continuing to work with neighbouring authorities through Duty to Co-operate discussions including by encouraging them to consider the implications of the likely increase in recreation in their local plans and to help DNPA develop a mitigation strategy to manage impacts into the future, including by supporting additional research if necessary.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0002

**Name:** John Penny

**Organisation:** Devon Stone Federation

**On behalf of:**

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**Rep. Number:** 1

**Local Plan Section:** Introduction **Paragraph/policy** Introduction

**Is the Local Plan sound?:** Yes

**Is the Local Plan legally compliant?:** No

**Is the Local Plan compliant with the duty to co-operate?:** Yes

**Hearing session(s)?:** No, I do not wish to participate in hearing session(s)

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

To be sound the plan should positively prepared and consistent with national policy. It relates to the second paragraph, which states:

"Dartmoor National Park Authority (DNPA) was established in 1997 as an independent governmental body to conserve and enhance the National Park's natural beauty, wildlife, cultural heritage and special qualities, and promote their enjoyment and understanding. DNPA is the Local Planning Authority for the National Park, including the areas of Teignbridge, West Devon, Mid Devon and the South Hams within its boundary."

**Modifications necessary to make the Local Plan compliant:**

The paragraph should also refer to the NPA's Statutory duty

"in pursuing the purposes, to seek to foster the economic and social well-being of local communities within the National Park by working closely with the agencies and local authorities responsible for these matters."

Suggested wording is

"Dartmoor National Park Authority (DNPA) was established in 1997 as an independent governmental body to conserve and enhance the National Park's natural beauty, wildlife, cultural heritage and special qualities, and promote their enjoyment and understanding. In doing so the DNPA has a statutory duty to foster the economic and social well-being of local communities within the National Park. DNPA is the Local Planning Authority for the National Park, including the areas of Teignbridge, West Devon, Mid Devon and the South Hams within its boundary "

**Authority response:**

The paragraph referenced is a simple introductory paragraph providing context to the plan, the Authority and National Park. The socio-economic duty is introduced in full later in the document, this is considered robust. Introducing it here adds a further layer of complexity which is not necessary at this stage.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0002

**Name:** John Penny

**Organisation:** Devon Stone Federation

**On behalf of:**

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**Rep. Number:** 8

**Local Plan Section:** Introduction **Paragraph/policy** Introduction

**Is the Local Plan sound?:** Yes

**Is the Local Plan legally compliant?:** No

**Is the Local Plan compliant with the duty to co-operate?:** Yes

**Hearing session(s)?:** No, I do not wish to participate in hearing session(s)

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

Plan needs to be consistent with national policy

**Modifications necessary to make the Local Plan compliant:**

The commentary in the box states

'The planning policies in the Local Plan are what we use to decide planning applications, all development in the National Park should comply with them. There are "strategic" policies and "non-strategic" policies. Strategic policies address Dartmoor's development priorities. All other policies address non-strategic matters.'

The text "all development in the National Park should comply with them" is too simplistic and leads to a misunderstanding of how the planning system works.

The question of compliance with the Development Plan needs to consider all the policies and proposals contained in the plan in their totality. A number of court judgements have been made on this issue and clarification has been given that a proposal does not have to accord with each and every policy in the Development Plan, and that a breach of any one policy does not necessarily mean that a proposal is not in accord with the Development Plan (reference R (Cummins) v. Camden LBC 2001 E.W.H.C Admin 1116 (Oousley J)). This is also clear from appeal decision letters issued by the Planning Inspectorate, wherein the relative "weight" to be given to each policy or issue raised by a proposal is considered in turn in the decision making process and a conclusion reached on the basis of the "planning balance".

The wording should be changed to explain this, maybe by reference to s38 of the Planning and Compulsory Purchase Act 2004, or the text omitted.

**Authority response:**

The phrase is considered robust, a helpful description for non-professionals and consistent with the legal cases cited in the representation.

NPPG states: "The development plan is at the heart of the planning system with a requirement set in law that planning decisions must be taken in line with the development plan unless material considerations indicate otherwise. "

The Local Plan phrase 'all development in the National Park should comply with [Local Plan policies]' uses should, rather than must, to indicate that this is best practice guidance that should be followed unless evidence, such as material considerations, indicates otherwise. This is made clear in the 'understanding the local plan' section on page 11.

**Authority proposed action:**

None proposed

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**Respondent Number:** 0005

**Name:** Barry Wilson

**Organisation:** E&JW Glendinning Ltd

**On behalf of:**

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**Rep. Number:** 1

**Local Plan Section:** Introduction **Paragraph/policy** Preface on page 2

**Is the Local Plan sound?:** No

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:** Yes

**Why?** This representation was also made at the Reg 18 stage, and was noted in the Summary of Responses to the Regulation 18 consultation, as 'There was some concern ...that the Authority's socio-economic duty was not given sufficient prominence'.

However no change has been made at the Reg 19 Stage. Hence we are repeating the representation and wish to ensure that the National Park Authority clearly recognises this important point in the opening passage of the Plan.

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

The second paragraph omits any reference to the National Park Authority's statutory duty:

"in pursuing the purposes, to seek to foster the economic and social well-being of local communities within the National Park by working closely with the agencies and local authorities responsible for these matters."

This Statutory duty is included with the purposes in the Environment Act 1995, therefore a reference to it should be included in this important opening passage of the plan.

**Modifications necessary to make the Local Plan compliant:**

Suggested wording is set out in red and underlined below

'Dartmoor National Park Authority (DNPA) was established in 1997 as an independent governmental body to conserve and enhance the National Park's natural beauty, wildlife, cultural heritage and special qualities, and promote their enjoyment and understanding. In so doing the DNPA has a statutory duty to foster the economic and social well-being of local communities within the National Park. DNPA is the Local Planning Authority for the National Park, including the areas of Teignbridge, West Devon, Mid Devon and the South Hams within its boundary. '

See box above for reasons why this change will make the plan sound.

**Authority response:**

The paragraph referenced is a simple introductory paragraph providing context to the plan, the Authority and National Park. The socio-economic duty is introduced in full later in the document where more detail is appropriate, this is considered robust. Introducing it here adds a further layer of complexity which is not necessary at this stage.

**Authority proposed action:**

None proposed.

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**Respondent Number:** 0005

**Name:** Barry Wilson

**Organisation:** E&JW Glendinning Ltd

**On behalf of:**

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**Rep. Number:** 2

**Local Plan Section:** Introduction **Paragraph/policy** Box entitled 'Planning Policies' under 'Using t

**Is the Local Plan sound?:** No

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:** Yes

**Why?** This representation was also made at the Reg 18 stage, but was not noted in the Summary of Responses to the Regulation 18 consultation.

Hence we are repeating the representation and wish to ensure that the National Park Authority clarifies this important point in the opening part of the Plan.

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

The commentary in the box on page 10 states  
'The planning policies in the Local Plan are what we use to decide planning applications, all development in the National Park should comply with them. There are 'strategic' policies and 'non-strategic' policies. Strategic policies address Dartmoor's development priorities. All other policies address non-strategic matters.'

The highlighted text is too simplistic and leads to a misunderstanding of how the planning system works.

The question of compliance with the Development Plan needs to consider all the policies and proposals contained in the plan in their totality. A number of court judgements have been made on this issue and clarification has been given that a proposal does not have to accord with each and every policy in the Development Plan, and that a breach of any one policy does not necessarily mean that a proposal is not in accord with the Development Plan (reference R (Cummins) v. Camden LBC 2001 E.W.H.C Admin 1116 (Oousley J)). This is also clear from appeal decision letters issued by the Planning Inspectorate, wherein the relative 'weight' to be given to each policy or issue raised by a proposal is considered in turn in the decision making process and a conclusion reached on the basis of the 'planning balance'.

**Modifications necessary to make the Local Plan compliant:**

Omit the words 'all development in the National Park should comply with them' from the box entitled 'Planning policies' on page 10.

Note: the text on page 11 'Reading the Plan' states "The Local Plan should be read as a whole. No single policy can be used in isolation, and all relevant policies, together with National Policy, Neighbourhood Plans, Supplementary Planning Documents and any other material planning considerations may be relevant in making a planning decision".

This covers the issue more accurately and therefore the text on page 10 is not necessary.

See box above for reasons why this change will make the plan sound.

**Authority response:**

The phrase is considered robust, a helpful description for non-professionals and consistent with the legal

cases sites in the representation.

NPPG states: "The development plan is at the heart of the planning system with a requirement set in law that planning decisions must be taken in line with the development plan unless material considerations indicate otherwise. "

The Local Plan phrase 'all development in the National Park should comply with [Local Plan policies]' uses should, rather than must, to indicate that this is best practice guidance that should be followed unless evidence, such as material considerations, indicates otherwise. This is made clear in the 'understanding the local plan' section on page 11.

**Authority proposed action:**



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**Respondent Number:** 0046

**Name:** Corine Dyke

**Organisation:** Natural England

**On behalf of:**

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**Rep. Number:** 4

**Local Plan Section:** Landscape Se      **Paragraph/policy**

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:**

**Detail of representation:**

Landscape and Visual Impact Assessments to support site allocations. We note that the Dartmoor Landscape Sensitivity Assessment (July 2017) provides a comparative assessment of landscape quality around key settlements but does not assess the visual impact/impact or landscape character of developing proposed allocations or other undeveloped sites within the settlement boundary. The sensitivity of proposed allocations is referred to within the Sustainability Appraisal (SA) but a more thorough landscape and visual impact assessment does not appear to have been undertaken. In addition where negative impacts are identified in the SA no measures to mitigate these impacts appear to have been suggested. For example for proposal 7.6 (land at Holne Road, Buckfastleigh) the SA states that "this is a sloping site ..... and will potentially have a negative effect on views across the settlement and the rural nature of the local landscape and is therefore considered to have a minor negative effect". Similarly for allocation 7.7 (Lamb Park, Chagford) the SA states that "the site is particularly visible from the north where the land is higher, and development may have an effect on views across the Teign Valley and loss of scenic value, both valued attributes for the area". However no mitigation measures are suggested to mitigate/ameliorate potential negative impact.

**Modifications necessary to make the Local Plan compliant:**

We advise that the Plan should be supported by sufficient evidence to demonstrate that it has met the major development test, as set out in NPPF para 172.

**Authority response:**

DNPA does not consider, at plan stage, that development sites will be likely to constitute Major Development under NPPF para 172, although this would be screened for and determined at application stage. DNPA believes there is appropriate evidence relating to landscape sensitivity. This comprises the Landscape Sensitivity Assessment, the Landscape Character Assessment, the landscape appraisal undertaken for all sites through the Land Availability Assessment Process, and again referred to through the SA/SEA. Where sites have specific elements around landscape sensitivity identified which are considered such that they should be referred to in more detail, these are picked up in Specific Proposals, for example Proposal 7.19(2) which refers to boundary treatment. In addition to this the Authority has prepared a series of Development Site Briefs. These respond in more detail with advice around landscape matters, for example referring to the Holne Road site raised in the Representation, noting, for example "Design must accord with Strategic Policy 1.6(2) Delivering good design. Proposals should be distinctive and respect the Dartmoor vernacular, responding to materials, form and public realm. Standard house types or layouts with little modification will not meet the design requirements set out in policy. Boundary treatments and public realm should be focused on community and pedestrians, should be sympathetic with the National Park's traditional vernacular, and where possible support biodiversity. External lighting and glazing must be compatible with Strategic Policy 2.5(2) Protecting tranquillity and dark night skies".

**Authority proposed action:**

None proposed

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**Respondent Number:** 0074

**Name:** Gary Parsons

**Organisation:** Sport England

**On behalf of:**

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**Rep. Number:** 7

**Local Plan Section:** OSSR

**Paragraph/policy** OSSR

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

6.COMMENT linked to the OSSR (evidence base)

Planning Obligations/Community Infrastructure Levy (CIL) to Sport

Sport England supports use of planning obligations (s106)/community infrastructure levy (CIL) as a way of securing the provision of new or enhanced places for sport and a contribution towards their future maintenance, to meet the needs arising from new development. This does need to be based on a robust NPPF evidence base. This includes indoor sports facilities (swimming pools, sports halls, etc) as well as playing fields and multi use games courts.

All new dwellings in Dartmoor in the plan period should provide for new or enhance existing sport and recreation facilities to help create opportunities for physical activity whilst having a major positive impact on health and mental wellbeing.

The evidence base as mentioned in (3) above should inform the Infrastructure Funding Statement. This for example, could help to resurface the artificial grass pitch at Ashburton or similar priority project.

We need to be mindful of s106/CIL regulations that have changed and Sport England will be shortly updating its CIL / Planning Obligations note (hopefully by end of 2019).

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

DNPA actively seek contributions to open space, play and sports provision throughout the National Park where there are identified needs raised by communities or through survey. These needs are added to the Infrastructure Delivery Plan. Where needs are severe there is sufficient flexibility in policy to reduce affordable housing contribution to free up additional contributions towards 'necessary community infrastructure', which can include OSSR infrastructure.

**Authority proposed action:**

None proposed.



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**Respondent Number:** 0135

**Name:** Helen Reynolds

**Organisation:** Hennock Parish Council

**On behalf of:**

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**Rep. Number:** 1

**Local Plan Section:** Settlement Pro      **Paragraph/policy** Settlement Profile

**Is the Local Plan sound?:** Yes

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:**

**Why?**

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

The Parish Council considered the draft Dartmoor Local Plan at its Planning Committee meeting last week. It considers the Plan to be sound but would like to make the following amendments to the Settlement Profiles for Hennock and Teign Village as the headline figures relate to the whole Parish which includes Chudleigh Knighton - I have attached a breakdown of the Housing Needs report figures by settlement which was provided by Teignbridge District Council's Housing Enabling Officers:

Hennock:

20 affordable homes needed in the Parish (which includes Chudleigh Knighton, Hennock & Teign Village)

Broken down by settlement:

Hennock:

3 affordable homes needed within 5 years

2 rented one-bed and 1 rented two-bed

and under the heading, "The following summarises issues identified by the Parish Council":

The Parish Council is continuing to work with Teignbridge District Council's Housing Enabling Officers in conjunction with Dartmoor National Park Authority to identify sites and look for opportunities. The Parish Council encourages people with land to come forward.

20 affordable homes needed in the Parish (which includes Chudleigh Knighton, Hennock & Teign Village)

Broken down by settlement:

Teign Village

2 affordable homes needed within 5 years

2 rented two-bed

and under the heading, "The following summarises issues identified by the Parish Council":

The Parish Council is continuing to work with Teignbridge District Council's Housing Enabling Officers in conjunction with Dartmoor National Park Authority to identify sites and look for opportunities. The Parish

Council encourages people with land to come forward.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

It is not appropriate to break down the housing need by settlement in the settlement profiles. The need is identified across the Parish and may include some need emerging in the open countryside. It also reflects policy which requires development be justified by need within a parish or adjacent parish.

**Authority proposed action:**

Settlement profiles updated to reflect Parish Councils working to deliver affordable housing

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**Respondent Number:** 0057

**Name:** John Coxon

**Organisation:** Emery Planning

**On behalf of:** Wainhomes Ltd.

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**Rep. Number:** 9

**Local Plan Section:** Sustainability A      **Paragraph/policy**

**Is the Local Plan sound?:**

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:** Yes, I wish to participate in hearing session(s)

**Why?** To respond to the Inspectors questions and the Council's case/hearing statements. The evidence and issues are complex and require thorough interrogation

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

#### 7. Sustainability Appraisal

7.1 It should be noted from the outset that the Sustainability Appraisal process is a numerical exercise which fulfils a legal requirement to assess reasonable alternatives. It cannot replicate a planning balance exercise, which involves the weighing of numerous quantitative and qualitative planning considerations, and should not be used as the sole or main methodology for the selection of policies or site allocations in the emerging plan. Assessing matters such as accessibility to services or landscape sensitivity requires a far more considered appraisal than a simple scoring based upon proximity to certain features.

7.2 Notwithstanding the above, we note that the Sustainability Appraisal is used to justify the NPA's selection of sites in the Development Sites Topic Paper 9, and consequently it is important that the Sustainability Appraisal correctly assesses each site. In relation to the assessment of development site options at South Brent (Appendix V of the Sustainability Appraisal), we raise the following concerns:

☐ Despite noting that the LSA 2017 specifically identifies that the fields to the south of the village have a lower sensitivity, this is not reflected within the scoring of sites 14/078 and 14/079 in Category 1 (landscape and settlement character). Sites 4/078 and 14/079 erroneously receive the same score as other sites which the LSA 2017 clearly identifies as being of higher sensitivity.

☐ When assessing site 14/078 undue reliance appears to have been placed upon the scale of the site, without due regard to the fact that part of the site could be allocated. For example in relation to maintain and enhance community and settlement identities, the appraisal claims that the site would form a "large extension which could have a significant effect on the settlement's identity". The site receives a negative assessment in this category. However the Council is aware that the site has been put forward as an allocation potentially across part of the site only, and it appears that assessing a smaller parcel would have resulted in a different score.

☐ It is also not clear why the 'erosion of the gap' between the settlement and the A38 is considered to have a significant effect on the settlement's identity (Part 8 of the South Brent assessment table), when in the opening to the paragraph of part 8 it is correctly stated that "the identity of South Brent is defined by the A38 to the south..." This is a significant and important flaw because the Development Sites Topic Paper then relies upon this as justification for discounting the site as a potential allocation.

#### 8. Summary and conclusions

8.1 Wainhomes is proposing the land at Noland Park as an allocation for residential development, either across part or the whole of the site. The proposed housing would include the full policy requirement of affordable housing, and as part of that our client could look to include an element of community-led custom/self-build housing on part of the site. A small quantum of employment land could also be delivered as part of a mixed-use development. In addition, there are potential community benefits that could be achieved due to the scale of the land under the control of Wainhomes, for example the potential to deliver land for community use such as new playing fields or re-located allotments.

8.2 We consider that the Local Plan should plan for development based upon the capacity of specific

settlements to accommodate development, particularly in terms of the impact on the National Park. We therefore consider that a higher level of growth should be apportioned to South Brent, where suitable sites have been identified to the south of the village that could be brought forward with the least amount of impact on the National Park.

8.3 The NPA has chosen to allocate an alternative site at Palstone Lane (parts a and b). However, the proposed allocation is at odds with the evidence base, specifically in terms of landscape and highways. In relation to highways, the evidence base is clear that access to the Palstone Lane site should be taken from the Cavanna site to the north (Middle Green). However, third party land is required and the planning application for part a of the site relies upon access from Palstone Lane. It is not clear how part b, for a further 34 dwellings, can be delivered.

8.4 In relation to landscape, the LSA 2017 assesses 3 parcels around South Brent. The LSA clearly identifies that the fields to the south of the village (i.e. Noland Park, site refs: DNP14/078 & DNP14/079) have lower landscape sensitivity to all other options in the village. The only logical conclusion is that development to the south of South Brent would have the least impact on landscape and also the National Park. This should have been a critical consideration in determining which sites to allocate in the plan.

8.5 In conclusion, we consider that the land at Noland Park offers a deliverable option which could deliver much needed market and affordable housing, with the least amount of impact upon the National Park owing to the location and characteristics of the site. We therefore propose that the site is allocated for residential development in the plan, either in full or in part.

## 9. Appendices

EP1. Site Location Plan EP2. Technical Note – Highways and Transportation EP3. Ecological Constraints and Opportunities Plan

### **Modifications necessary to make the Local Plan compliant:**

#### **Authority response:**

The authority disagrees that Sustainability Appraisal is a numerical exercise which fulfils a legal requirement, but agrees it should not be the sole or main methodology for the selection of proposals or policies. Neither is the case here. Sustainability Appraisal is and should add value, informing the development plan making process in an objective way, but is one of a number of factors in weighing up planning considerations. Inevitably, though, given the baseline for a sustainability appraisal, the considerations within it and the outcomes reached may well parallel other factors used in informing plan-making decisions.

SEA noted that Corn Park sites would "alone or in combination bring the settlement to the A38 which will negatively impact the village's identity", and that this site and its distance from the settlement was not viewed positively by the local community, fearing that residents would drive rather than walk into the village exacerbating perceived traffic and parking issues in the centre of the village. Whilst it is noted the statement regarding the 'identity' of S Brent defined by the A38 we would suggest this is not a well drafted phrase, and refers to the extent of the settlements form, rather than its identity, which is clearly not defined by a dual carriageway. The focus of the representation on landscape sensitivity does not reflect the broader placemaking elements considered in DNPA's assessment of sites in the area. Indeed the proximity to the A38 may mean the fields 14/078 are of lesser sensitivity than others within that assessed parcel (S2) but it also notes "Noise and views of the A38 are prominent throughout this landscape zone although fields to the south of the settlement/north of the A38 are most impacted", noting that from a place-making perspective a development in this location whilst drawing the settlement closer to the dual carriageway, would also be of potentially lower quality as a residential area.

The comment in the representation around "significant effect" has been used selectively. The statement in the Site Assessment in full is "development here will erode the gap between the settlement edge and the A38, forming a large extension which could have a significant effect on the settlement's identity, with a potential minor negative effect." Thus it is stating the large extension could have a 'significant effect' (not the erosion of the gap) and concludes a minor negative effect.

Whilst a significant holding has been proposed through the LAA and representation, a smaller scale proposal is now mooted but not described, thus the viability of this, or its genuine desirability for the developer is unclear. Furthermore given the level of need identified the additional development site is not considered to be required. The site assessment is based upon a large scale development as put forward



through the LAA process, giving a site which in respect of yield and impact would be unacceptable as described in the Development Sites Topic Paper, and the SA. DNPA notes that whilst the respondent has referred to developing only 'part' of the site, no smaller proposal has been provided, it would be self-evident from the Developers current construction portfolio, which in the SW currently ranges from around 105-165 dwellings (around 4-8ha in size) that it would be a significant shift in its business/development model to deliver on an allocated site in the National Park, which is typically around 20-40 units.

**Authority proposed action:**

None proposed

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**Respondent Number:** 0013

**Name:** Elliot Jones

**Organisation:** Boyer Planning

**On behalf of:** Cavanna Homes (South West) Limited

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**Rep. Number:** 10

**Local Plan Section:** Sustainability A      **Paragraph/policy** Sustainability Appraisal

**Is the Local Plan sound?:** No

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:** Yes, I wish to participate in the hearing sessions

**Why?** As set out in our representations submitted in response to this consultation, there are a number of concerns which relate to the soundness of the Plan as currently prepared. In light of these concerns it is considered necessary to participate at the EiP Hearing sessions in order to ensure such matters are fully considered and addressed through the Examination.

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

#### 5. SITE SELECTION PROCESS

5.1 The process through which sites are identified and included within the Consultation Document as proposed allocations is an important consideration in terms of understanding the deliverability of and scale of development proposed through the National Park Area and at individual settlements.

SA and Site Selection Process

5.2 Irrespective of the overall housing figure, it is essential that the consideration of site options be based on an objective, fair and comparable process.

5.3 The focus of our comments is on the site selection process for Moretonhampstead and how these options were considered, specifically the decision not to progress land controlled by our client (Land at Courtenay Park, DNP08/018)

5.4 Potential site options emerge from the 2017 LAA with those options that were found to be reasonable, suitable and realistic subject to the SA process.

5.5 It is noted that land controlled by Cavanna Homes (DNP 08/018 – Courtenay Park) is listed within the SA, as a site, which meets the criteria for inclusion i.e. it, is suitable, available and achievable.

5.6 Paragraph 6.17 of the SA (June 2019) states that sites were assessed individually against the SA objectives. However, in the context of land now proposed to be allocated at Betton Way (7.10), this site is combined with land at Forder Farm (7.11) within the SA Appendix V Assessment Table (site reference 14/095 – Chagford Cross).

5.7 The decision to assess these sites on a combined basis is understood to be because both land areas are under the same ownership. Ownership does not, and should not, dictate the way that physically unconnected site options are assessed through the SA. In doing so, this results in uncertainty as to the specific SA 'scores' for the individual site options, potentially conflating the potential impacts, positive or negative, in a manner which could mask site specific impacts owing to the fact that the score reflects the overall performance of two separate land parcels.

5.8 Table 6.2 of the SA (June 2019) outlines the reasons for selecting or not progressing site options. In the context of proposed allocations at Bretton Way and Forder Farm, Table 6.2 demonstrates that the SA appraised these sites together rather than on an individual basis. These two sites should be separated in the SA process and assessed individually in order to understand their relative performance against the SA objectives and critically, to set out their (individual) comparative performance against alternative site options at Moretonhampstead.

5.9 In respect of our client's land interest at Courtenay Park, Table 6.2 of the SA (June 2019) explains that reason for not progressing the site as follows:

'Not progressed at this stage because of sequentially preferable sites of lesser landscape character and historic environment concerns (expressed strongly through community concern around development of this site) being available.'

5.10 There are serious concerns regarding the justification articulated within the SA for not progressing this site. First, concerning the conclusion that there are sequentially preferable sites of lesser landscape character and historic environment concerns, the comparative assessment of Courtenay Park in terms of landscape and heritage matters set out in the SA is shown below. [SEE TABLE IN ORIGINAL RESPONSE].

5.11 Based on the SA, the relative scoring against the landscape and historic environment objectives show that Courtenay Park is indistinguishable from sites 14/095 in terms of the potential impacts against these objectives, with Thompsons Yard understandably scoring more positively in terms of landscape and settlement character given that this is a previously developed site.

5.12 The detailed assessment on these SA objectives provided at Appendix V, refers to Courtenay Park (site 018) and Chagford Cross (site 095) states:

'Site options 018, 095, 102, and the majority of site 019 are within an area which is considered to have a moderate/high landscape sensitivity. The area has a strong historic character, a rural character and a strong visual relationship with the surrounding landscape. The presence of post and wire fencing, field boundaries and modern development lessen the landscape sensitivity of the area. 'The location of the site options is considered to have a detrimental effect on the local landscape character due to their location on the edge of the existing settlement. The site options will result in the loss of pastoral character, which is a key quality for the local landscape, the loss of the existing medieval field pattern, and have the potential for a cumulative urbanising effect on the rural character of the local landscape. Potential for a minor negative effect. Furthermore, there is the potential for all site options to result in a cumulative loss of tranquillity through increased noise and light pollution.'

5.13 Within the SA, there is a clear distinction on the landscape / character impacts made in terms of site 017 (Thompsons) where it notes that it is a brownfield site and therefore development is likely to have a minor positive effect, compared with a minor negative effect from those greenfield sites. However, as shown above, no such distinction is made in respect of site options 018 and 095. Therefore, to conclude that one site is sequentially preferable other another lacks of justification from the assessment set out in the SA.

5.14 Secondly, it is noted that Table 6.2 makes a specific reference to 'community concern' as part of the justification for not progressing land at Courtenay Park. Such concerns are not listed in respect of any other site considered within the SA, whether progressed or not. Moreover, there is a lack of any evidential basis to explain in what forum such concerns were expressed.

5.15 It is not the function or purpose of the SA to appraise sites on the basis of perceived local objection, or even support, for a particular development option. The SA is solely concerned with the likely environmental affects, assessed against the 15 stated Objectives, of which 'community concern' is not a relevant consideration.

5.16 Reference to 'community concern' raises significant questions regarding the extent to which Courtenay Park was considered on a fair and equitable basis and critically how objective the SA process is regarding this particular site.

5.17 Further information as to how sites were assessed in the preparation of the Local Plan is set out in Topic Paper 9 ('Site Assessment & Allocation Recommendations') (September 2019).

5.18 The Introduction to Topic Paper 9 explains that it is the purpose of the Topic Paper to consider available sites for development taking into account other evidence base documents, including the SA.

5.19 Mindful of the conclusions of the SA not to progress Courtenay Park due to sequentially preferable sites in terms of landscape and heritage considerations, it is noted that Table 3 of Topic Paper 9 provides a summary of the landscape sensitivity assessment for Local Centre sites. In the context of Moretonhampstead, the following is of note:

5.20 In a similar way to the SA appraisal against the landscape objectives, Courtenay Park is judged to have a landscape sensitivity within the same category as a site now proposed to be allocated (Betton Way – 7.10).

5.21 On this specific issue of landscape, Topic Paper 9, (Section 7.3) refers to the SEA and states that: 'As all sites except Thompson's Depot are greenfield these were judged to have slight negative impacts in relation to landscape, soils and heritage.. "' (Boyer emphasis)

5.22 Yet the table at page 39 of Topic Paper 9 in respect of Courtenay Park states:

'Visually sensitive, significant landscape character impact and community amenity concerns. PRoW bisecting site provides informal recreation and important E/W pedestrian connection. Listed Building adjoining site to the W.' (Boyer emphasis)

5.23 There is clearly an inconsistency in the consideration Courtenay Park in terms of its landscape impact. To conclude that there is a significant landscape character impact, bears no relationship with the SA process or the Council's own assessment of landscape sensitivity summarised within Topic Paper 9

5.24 Section 7 of Topic Paper 9 provides a narrative on Moretonhampstead where it notes that the settlement "has few strategic environmental constraints" and as an elevated settlement, "the surrounding

landscape has medium to high sensitivity.” Table 7.1 identifies the issues at Moretonhampstead and in terms of landscape; it states, “the landscape to the north and east of the town has a higher sensitivity to change.” Land at Courtenay Park is located to the south of Moretonhampstead.

5.25 In terms of the potential impact on heritage assets, it is noted that Topic Paper 9 (page 39) makes reference to “Listed Building adjoining site to the west”. Yet there is no specific reference or assessment undertaken to demonstrate or justify why the presence of a listed building is a constraint or obstacle to development at Courtenay Park.

5.26 The LAA (2017) considers the ‘Constraints to Delivery’ where it states:

‘Setting of the PRoW and nearby listed buildings, together with vehicular access, but it may be possible to overcome these issues.’

5.27 The proximity of a site to a heritage asset does not in itself providing a defensible basis upon which a site should not be progressed. Previous evidence submitted has demonstrated that a feasible scheme can be developed on site with specific regard to the listed buildings.

5.28 Moreover, if this were then case than such an approach should be applied consistently to all site options and in the case of Thompsons (7.12), which includes the Historic good shed on site with the Grade II listed former engine shed on adjacent plot, the case for progressing this site as retained allocation would be brought in to doubt.

5.29 In terms of presence of a PRoW the SA (objective 11) and the impact on PRoW, Appendix V states: ‘Site options 017 [Thompsons], 018 [Courtenay Park] and 102 have existing PRoW routes, and therefore development at these site options are considered to have the potential for a minor negative effect on green infrastructure through the potential loss or alterations of the PRoW network, although this could be mitigated through site-specific requirements..’ (Boyer emphasis)

5.30 Specific features prevailing at, or adjacent to, a site and their impact on the suitability of a site for development should be applied consistently through the site selection process. It is flawed to elevate the significance of a particular feature such that it renders a site as not suitable for progression, where such features prevail on alternative sites which are proposed to be allocated.

5.31 To do so requires a comprehensive and detailed assessment of such features in order to understand the associated impacts and potential for mitigation through the design of development sites. No such detailed assessment exists, rather the site selection process is reliant upon broad assessments which are applied inconsistently in the consideration of site options, such that these matters are applied to justify the decision not to advance specific site options, whereas proposed options are advanced on the basis that such constraints can be appropriately mitigated.

#### Stakeholder Views

5.32 Section 7.2 of Topic Paper 9 sets out the views of the local community and it is evident, particularly in the context of land at Courtenay Park, that such views are determinative in the site selection process.

5.33 Topic Paper 9 notes that there is little support for any large scale development in Moretonhampstead and a sensitivity appraisal undertaken “by a group of residents” concluded that “all green space in the town are highly valued.” Given that there is little support for any large scale development, it is unsurprising that all green spaces are highly valued, such positions are undoubtedly aligned to the same agenda to resist additional development.

5.34 Within section 7.2 reference is also made to local residents “consistently” expressing a desire to retain the openness of Courtenay Park field as a southern setting of the town. Yet this is not based on any specific assessment to justify why this site should be protected from future development.

5.35 The only evidence based relating to landscape sensitivity is provided by The Dartmoor Landscape Sensitivity Assessment (July 2017) which forms the basis of the summary table at 3 of Topic Paper 9, explains in the Executive Summary that:

‘Whilst the Landscape Sensitivity Assessment results provide an initial indication of landscape sensitivity, it should not be interpreted as a definitive statement on the suitability of individual sites for a particular development or land use change. All proposals will need to be assessed on their own merits.’

5.36 It goes on to state that:

‘This assessment does not make judgements on the appropriateness of specific developments on individual sites (and does not consider specific development proposals where these might exist), but can provide the context for more detailed studies of individual sites. It also provides an important evidence base to support the policies and proposals within the Local Plan. In particular the information will be used to help inform the site allocations decision making process.’ (Paragraph 1.3) (Boyer Emphasis)

5.37 The purpose of the Sensitivity Assessment therefore appears contradictory. On the one hand, it seeks to make clear that it should not be interpreted as a definitive statement on the suitability of individual sites, yet is intended to be used to inform the site allocations decision-making process.

5.38 The Methodology of the Landscape Sensitivity Assessment is based on defined study areas for each settlement. For Moretonhampstead, there are just two ‘Landscape Assessments Zones as shown below [SEE FIGURE IN ORIGINAL COMMENT]

5.39 The sensitivity assessment is therefore based on two large study areas, which will cover a range of different features and sensitivities. To assert therefore the findings of this high level assessment can be applied directly to individual sites runs counter to the clear caveats set out in the 2017 assessment. Critically, it does not support the assertions 'by a group of residents' that Courtenay Park is of a particularly high landscape value.

5.40 Section 7.3 (Site Appraisal) of Topic Paper 9 provides a summary of the site selection process. In the context of Courtenay Park (DNP08/18) Table 2.1 summarises the LAA findings and states:

'Potential Surface Water Flooding' area runs along Station Rd boundary. The PROW (Parish Footpath 28) provides informal recreation and is an important pedestrian link from the east of the town to the west and the Leisure centre/recreation ground.'

5.41 It also acknowledges that as all sites except Thompson's Depot are greenfield these were judged to have slight negative impacts in relation to landscape, soils and heritage. The remainder of concerns were largely similar across sites and largely neutral or slight positive.

5.42 This once again demonstrates the inconsistencies in the decision-making process when compared with the evidence base.

5.43 Topic Paper 9 concludes by summarising the Potential Allocation Appraisal. When referring to Courtenay Park it states that this site 'appears as open town greenspace.' Such terminology is not explained nor is there any specific assessment that provides any sort of qualitative or quantitative analysis to determine whether this 'town greenspace' has a particular landscape value that warrants specific protection.

5.44 The Topic Paper states that Courtenay Park is proximate to the town centre and with sensitive urban layout could represent a new 'edge' to the townscape. It does not state or imply that the landscape is highly sensitive and therefore unsuitable for development, rather it acknowledges that through appropriate layout, the opportunity exist to provide a new 'edge' to the townscape. This adds further cause for concern in terms of the decision for not progressing this site based on its 'significant' landscape impact (see page 39 of Topic Paper 9).

5.45 Notwithstanding the recognition within Topic Paper 9 regarding the potential for development at Courtenay Park to deliver a new 'edge' to the townscape, it goes on to state "however there is notable local opposition to development of this site and that in considering site alternatives, Courtenay Park and Brinning Lane have the most significant landscape character impact and there are considerable community amenity concerns. The scale of land put forward is out of keeping with local housing need." (Boyer emphasis).

5.46 It is not clear what is meant by the 'scale of land' put forward. Courtenay Park is promoted for a development of circa 30 dwellings, which is consistent with the scale of development proposed at each of the proposed allocations at Moretonhampstead.

#### Summary

5.47 The site selection process as it relates to Moretonhampstead and specifically Courtenay Park lacks consistency and coherence. The evidence base presents contradictory statements on alleged impact, specifically in terms of the landscape and character of the settlement.

5.48 The 2017 LAA confirms that the site is suitable, available and achievable whilst, in the SA, Courtenay Park performs equally as well as those sites proposed to be allocated through the Local Plan Review, when considered against the 15 SA Objectives.

5.49 Reference to Courtenay Park not progressing because other sequentially preferable sites (in terms of landscape/heritage impacts) are available is not supported by any evidence to justify why this is the case. Moreover, given the inconsistent and contradictory conclusions on the perceived impacts arising from Courtenay Park on matters related to landscape and heritage, it is difficult to determine what conclusions have been applied when making the conclusion that other sites are sequentially preferable.

5.50 Furthermore, for one site to be sequentially preferable other another there should be a clear evidence trail, based on a fair and comparable assessment to demonstrate why this is the case. Such evidence does not exist.

5.51 It is clear from our review that the decision not to progress Courtenay Park is based on local opposition and this is the key determinant in the site selection process insofar as it relates to this site.

5.52 Local opposition, or even support, of a site, does not take precedence over the objective assessment of site options. In the case of Courtenay Park, such opposition has proved to be the key driver in the decision-making process, resulting in the reasons given for not progressing the site. This does not reflect findings set out in the evidence base.

5.53 Such an approach cannot be considered sound, as this genuine reasonable alternative option has not been considered on a comparable basis. The supporting evidence base does not provide sufficient justification for not progressing this site which has resulted in a site selection process which is contradictory and inconsistent, and applied inappropriately to support the decision not to progress the site, driven principally by local objection.



## **Modifications necessary to make the Local Plan compliant:**

### **Authority response:**

The sites selected in Moretonhampstead contribute (park wide) towards reasonably meeting the indicative housing figure set out in the Local Plan (discussion around the Respondents view numbers should be uplifted referred to in other representation responses).

It is noted that the initial SA including two alternative sites together, however in the later SA of the draft Plan these sites are considered separately and relative merits and constraints considered.

It is reasonable that the consideration of sites takes into account the strength of interest in the community, and the extent of community engagement which has been undertaken in Moretonhampstead, both by DNPA, and by the Parish Council and its Housing Working Group, and later its Local Plan Response group. The Sites Consultation reports, and the accompanying discussion clearly illustrates the level of interest in the scale of development in Moretonhampstead, the community's view of that, the sites which is considered to be reasonable, the scale of development it would favour, and the priorities of what type and tenure of housing might come forward. This does not permeate the objective consideration of sites (indeed the comments and questions section of the Sites Consultation with members of the community, and interest groups, illustrates DNPA's lack of bias, and wish to ensure the community approach the consultation with an open mind and all available information). However having expressed views in respect of the relative merit and importance of the site options, it is reasonable the DNPA give these appropriate weight in the selection of site options. DNPA considers this a reasonable and appropriate response which give due weight to objective evidence, the appraisal of sites, and community views.

### **Authority proposed action:**

None proposed

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**Respondent Number:** 0013

**Name:** Elliot Jones

**Organisation:** Boyer Planning

**On behalf of:** Cavanna Homes (South West) Limited

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**Rep. Number:** 4

**Local Plan Section:** Sustainability A **Paragraph/policy**

**Is the Local Plan sound?:** No

**Is the Local Plan legally compliant?:**

**Is the Local Plan compliant with the duty to co-operate?:**

**Hearing session(s)?:** Yes, I wish to participate in the hearing sessions

**Why?** As set out in our representations submitted in response to this consultation, there are a number of concerns which relate to the soundness of the Plan as currently prepared. In light of these concerns it is considered necessary to participate at the EiP Hearing sessions in order to ensure such matters are fully considered and addressed through the Examination.

**Did respondent comment on Reg 18 Local Plan?:** Yes

**Detail of representation:**

Consideration of Alternatives

3.36 For reasons set out within our representations on Housing Need, the proposed housing figure fails to provide an appropriate scale of development necessary to address wider social and demographic challenges prevailing within the National Park. Notwithstanding this, the proposed housing figure set out in the Consultation Document is not considered to be justified, as the evidential basis has not been informed by an adequate assessment of reasonable alternatives.

3.37 Paragraph 4.1.8 of the Housing Topic Paper states:

‘A consideration of the alternative scenarios for calculating housing need is inextricably linked with the development of wider policy objectives and the future sustainability of the National Park area.’

3.38 It is therefore essential in terms of understanding the implications on the National Park and the formulation of policies that reasonable alternative scenarios for calculating need are considered on a robust and directly comparable basis.

3.39 The SA provides the appropriate context within which the likely environmental impacts of alternative housing need requirements can be assessed. However, the SA does not consider the reasonable alternatives of what the housing figure for the National Park Area should be.

3.40 It is noted that within the Housing Topic Paper (from 5.2.3) there is a review of the merits of the different projected scenarios, specifically, a lower level of growth, the current level of growth and a higher level of growth. However, none of the alternative housing figures for the National Park Area appear to have been subject to the SA process, specifically in terms of the likely impacts on the SA Objectives.

3.41 As explained in National Planning Practice Guidance:

‘A sustainability appraisal is a systematic process that must be carried out during the preparation of local plans and spatial development strategies. Its role is to promote sustainable development by assessing the extent to which the emerging plan, when judged against reasonable alternatives, will help to achieve relevant environmental, economic and social objectives.’ (Boyer emphasis) (PPG: Paragraph 001

Reference ID: 11-001-20190722)

3.42 The SA is focused on options for the Spatial Strategy alongside options for site allocations, yet there is no comparable assessment for alternative scenarios for the housing growth figure for the National Park. The failure to include an assessment of alternative calculations represents a significant failing of the SA process and indicates that such alternatives have not been appropriately considered.

**Modifications necessary to make the Local Plan compliant:**

**Authority response:**

DNPA's consultants have prepared a Sustainability Appraisal (SA) Note on Reasonable Alternatives & Growth Scenarios which addresses the response to the this representation.

**Authority proposed action:**

None proposed