



**DARTMOOR NATIONAL PARK  
LOCAL PLAN 2021-2036  
Main Modifications**

**SUSTAINABILITY APPRAISAL (SA)**  
(incorporating Strategic Environmental Assessment,  
Health Impact Assessment, Equality Impact  
Assessment, Habitats Regulations Assessment)

**SA Addendum Report  
June 2021**

*enfusion* 

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Regulations Assessment)**

**SA Addendum Report**

<i>date:</i>	SA Addendum Report June 2021	
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## 1.0 CONTEXT

### The Dartmoor National Park Local Plan: Submission & Examination

- 1.1 The Dartmoor National Park Authority (DNPA) is preparing a new Local Plan that will replace the currently adopted Core Strategy (2008), and Development Management & Delivery development Plan document DPD (2013). The new Local Plan also includes its own waste and minerals policies as the National Park is not included in the Devon County Waste & Minerals Plan. Fundamental to the review of the Local Plan are the two statutory<sup>1</sup> purposes of the National Park designation and also, the duty of National Park Authorities in pursuing National Park purposes.
- 1.2 The new Local Plan has been developed iteratively since early studies and consultations in 2016, through continuing technical studies, and with wide consultation to consider comments made. The proposed draft Dartmoor National Park Local Plan (DNPLP) was submitted to the Secretary of State for independent examination by a Planning Inspector on 22 September 2020. Hearing sessions were held virtually between 2 March and 12 March 2021.
- 1.3 The Inspector advised in her Post Hearing Action Point Note [ED42] (22 April 2021)<sup>2</sup> that she considered a number of actions to be necessary to inform her decision on whether the Plan is sound and/or how it could be made sound by Main Modifications (MMs). The Inspector also confirmed that the proposed MMs should be subject to further Sustainability Appraisal (SA) and Habitats Regulations Assessment (HRA) as necessary; these addendum reports should be published as part of the MM consultation. The MMs will be subject to public consultation and the Inspector's final conclusions will be reached taking any representations, including on the SA and HRA, into account.
- 1.4 The DNPA is also proposing Additional Modifications (AMs) [ED45]. These are not subject to the formal examination process and generally address minor issues of clarity. They will only be considered by the Authority and not by the Planning Inspectorate as they do not relate to the soundness of the Plan. These AMs are therefore not considered to be significant with regard to the findings of the SA and HRA and are not considered any further in this addendum report.

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<sup>1</sup> National Parks & Access to the Countryside Act 1949 as amended by the Environment Act 1995

<sup>2</sup> [https://www.dartmoor.gov.uk/\\_data/assets/pdf\\_file/0030/385680/ED42-Dartmoor-Local-Plan-Inspector-Note-8-Post-Hearing-Action-Points.pdf](https://www.dartmoor.gov.uk/_data/assets/pdf_file/0030/385680/ED42-Dartmoor-Local-Plan-Inspector-Note-8-Post-Hearing-Action-Points.pdf)

## Sustainability Appraisal & Habitats Regulations Assessment

- 1.4 The emerging elements of the draft Dartmoor National Park Local Plan have been tested through Sustainability Appraisal (SA), incorporating requirements for Strategic Environmental Assessment (SEA), Health & Equality Impact Assessment (EqIA), and Habitats Regulations Assessment (HRA). Each draft of the DNPLP has been accompanied by SA and HRA Reports through consultation stages of plan-making. Representations to the SA and HRA reports have been taken into consideration in the following iteration of assessments.
- 1.5 The SA and HRA studies have been undertaken by independent specialists, Enfusion Ltd. The SA/SEA [SD04-SD13] and HRA [SD78-SD82] reports<sup>3</sup> were submitted as evidence supporting the Local Plan. The SA/SEA and HRA reports were discussed during the hearing session on 2 March 2021. Natural England (NE) were concerned that the proposed site allocations were not supported by a Landscape & Visual Impact Assessment (LVIA) and thus insufficient evidence to enable the DNPA to conclude no harm to the protected landscape. Where the SA concludes negative effects on landscape it does not conclude whether or how these can be mitigated. This concern has been resolved through the preparation of an additional Paper [ED46] on Landscape & Sites in which the landscape impacts and mitigation through requirements in the site briefs are explicitly set out for each site proposal.
- 1.6 Natural England advised that they had signed off the HRA and agreed with its conclusions that there would be no adverse effects on the integrity of protected sites. NE had some concern that the settlement boundary for Buckfastleigh included part of the South Hams Special Area of Conservation (SAC) – an existing developed industrial area – and that this thus gave a presumption in favour of development. This was discussed at the examination, where DNPA expressed the view that this was not an accurate interpretation of policy, and that the plan should be read as a whole, in particular Strategic Policy 2.2 provides strategic protection for SACs. The Inspector has not directed any change to the settlement boundary at Buckfastleigh.
- 1.7 Other representations raised issues associated with the choice of strategy for housing delivery, selection of site options, and the landscape scoring for certain site options. Discussion of this issues informed the development of the proposed MMs for the DNPLP.
- 1.8 The Inspector has not raised any concerns regarding the SA, SEA and HRA. She has advised [ED42] that the requirements for SA and HRA should be met by producing addendum reports as necessary and that these should be subject to consultation with the MMs.

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<sup>3</sup> <https://www.dartmoor.gov.uk/living-and-working/business/planning-policy/local-plan-review/local-plan-examination>

### **Purpose & Methods for the SA & HRA Addendum Report**

- 1.9 This SA Addendum constitutes part of the SA/SEA Report submitted [SD04-SD13] - for the purposes of demonstrating compliance with SA and SEA requirements. It also addresses updating of the HRA [SD78-82] Report. This Addendum Report only addresses the implications for the assessments with regard to the potential MMs; it does not reconsider any other aspects of the Plan. Thus, the purpose of the SA Addendum is to assess the proposed MMs that are likely to have significant effects and to demonstrate that the requirements for SA, SEA and HRA have been met.
  
- 1.10 A pragmatic and proportionate approach has been taken to the assessments. The MMs have been screened using professional judgment to assess their likely significance with regard to SA/SEA and HRA. Those MMs that were considered to be significant have been further assessed using the SA Framework of Objectives (Table 2.1 SD04) and the implications for the previous findings considered. Any MMs that are relevant to the previous HRA findings have also been considered and the HRA updated within this SA Addendum Report.

## 2.0 SCREENING THE MAIN MODIFICATIONS (MMs) FOR SA & HRA SIGNIFICANCE

- 2.1 The MMs [ED44] were screened for their significance with regard to SA, SEA and HRA, as set out in the following Table 2.1. It may be noted that some proposed modifications are to provide greater clarity, correct errors, avoid repetition, for consistency and for updating (for example, with national policy changes), and as such may not be significant for the findings of the assessment processes and are not included in this summary table.

**Table 2.1: Screening the MMs for SA & HRA Significance**

MM No.	DNPLP Policy/ Paragraph	Summary of Changes	Significant for SA/SEA or HRA?
MM03	1.2 The Vision	Additional wording <i>...and adapting to it</i> . Makes more explicit the need to minimise our impact on climate change and adapt to it.	No
MM04	SP1.and renumbering SPs 1.3-1.6 & subsequent Policies 1.7-1.9	Earlier SP1.3 on presumption of sustainable development deleted to ensure consistency and avoid repetition with NPPF paragraph 16(f). SP renumbered – SP1.3 Spatial Strategy.	No
MM07	Policy 1.5 (previously 1.6)	Change of wording from all development “should” to “will” <i>... with a clear and distinctive character...</i> Additional policy text – <i>planning applications exhibiting anything less than good design will be refused</i> . Requirements regarding design principles & guidance moved from supporting text into policy text.	Yes
MM08	Para 1.6.12	New text updating situation on the Government's Future Homes Standard to align with emerging new national policy.	Yes?
MM11	2 Environment Strategy	Additional text – <i>“Development will be encouraged where it will deliver significant enhancement and opportunities for the understanding and enjoyment of Dartmoor's cultural heritage”</i> to encourage positive outcomes for historic environment.	Yes?
MM12	Para 2.3.18	Rewording to ensure that text correctly references the mitigation hierarchy.	No?
	SP2.2	Wording change – all development must conserve and enhance <i>all</i> Dartmoor's biodiversity.... Removal of text to ensure that requirements for designated biodiversity sites & identified habitats are distinct from those requirements that apply to all biodiversity.	Yes

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MM13	Policy 2.3 Para 2.3.24	Additional/changed wording to make explicit that biodiversity net gain is applied to both protected and unprotected habitat, and that net gain is applied consistently.	Yes?
MM14	Section 2.6	Additional wording to ensure that terminology is consistent with Historic England guidance.	No?
	Policy 2.6 (previously 2.5)	Additional wording to ensure consistency with NPPF paragraphs 16(d) and 185.	Yes?
MM15	Policy 2.8 (previously 2.7)	Inclusion of wording "normally" to allow sufficient flexibility consistent with NPPF para 53.	No
MM16	Para 2.7.1	Additional wording and change from "minimising" to "offsetting" to more fully describe the role of upland peat.	No
	Policy 2.9	Amended wording on flood risk to ensure consistency with NPPF	No?
MM24	Policy 3.11	Additional wording..."and flood risk..." to ensure that supporting text considers flood risk.	No?
MM33	6 Minerals, Waste & Energy Strategy	Additional wording ... ..maximise use of recycled materials and secondary aggregates "as far as practicable...". Renewable energy will be encouraged where "it is not major development".	Yes?
	Policy 6.1	Additional wording - Minerals development "that is major development" will not be approved...	Yes?
MM36	Para 7.1.10	Additional wording to make explicit that the Site Briefs "...describe the landscape mitigation or specific assessment or reports which would be required as part of an application." Also, to make explicit that the Site Briefs "should be taken into account in preparing applications in order to ensure proposals are consistent with the Local Plan as a whole."	Yes?
MM38	Proposal 7.6	Removal of site allocation at Holne Road, Buckfastleigh. Replacement with new Proposal Land at Timbers Road, Buckfastleigh.	Yes



### 3.0 SA OF MAIN MODIFICATIONS (MMs)

- 3.1 **Policy 1.5 Delivering Good Design:** The change of policy wording from “*should*” to “*will*” strengthens the policy and ensures that requirements will be implemented – thus further confirming the positive effects identified from the SA and reported in [SD04-SD13]. The additional wording “...*with a clear and distinctive character...*” will further enhance the positive effects found for the sustainability theme of Landscape & Settlement Character and SA objective numbers 1 and 2. The additional text “*Planning applications exhibiting anything less than good design will be refused*” clarifies and further confirms that only good design will be implemented in new development – again confirming the likely positive effects from this policy.
- 3.2 The movement of important guidance on character, quality & variety of accommodation, environmental sustainability, enhancing biodiversity, access & movement, and community safety from the supporting text into the policy text has significance for the SA findings through considerable strengthening of requirements. This will strengthen mitigation measures now embedded into policy wording to ensure there are no significant negative effects; it will further enhance positive effects previously identified. Policy text on Character and on Quality & Variety of Accommodation will strengthen positive effects for SA No 2 Character & No 8 Communities; policy text on Environmental Sustainability will strengthen mitigation measures, enhancing positive effects for SA No 5 Soil, Land & Minerals, No 6 Water, No 7 Flood Risk, and No 15 Waste; policy text on Enhance Biodiversity will strengthen mitigation measures for SA No 2 Adaptability & Sustainability and ensure implementation of positive effects for SA No 3 Biodiversity; policy text on access & movement will strengthen mitigation measures for negative effects on SA No 9 Access & Nos 13/14 Transport ; and policy text on Community Safety will ensure strong mitigation for potential negative effects, confirming positive effects for SA No 11 Health. Overall, the movement of requirements from the supporting text to the policy text has strengthened the positive effects identified from the SA.
- 3.3 **Para 1.6.12** and the possible Future Homes Standard and supporting text for SP 1.6 Sustainable Construction. The new wording aligns the supporting text with Government consultation on the new Standard. If implemented, this would raise the efficiency standard beyond the requirements of this policy. The wording acknowledges that national policy and requirements are changing as Government increases national requirements in all sectors to help address climate change. At this stage, the additional wording updates the situation and no change to the findings of the SA.
- 3.4 **Environment Strategy:** Additional text – “*Development will be encouraged where it will deliver significant enhancement and opportunities for the understanding and enjoyment of Dartmoor's cultural heritage*” to encourage positive outcomes for historic environment and this is likely to support positive effects and effectiveness of mitigation measures through encouragement of significant enhancement of cultural heritage – for SA No 2 Character, No 4 Historic Environment, and No 8 Communities.

- 3.5 **Para 2.3.18** with rewording to ensure that supporting text correctly references the mitigation hierarchy. This is not significant with regard to the findings of the SA as the SA had taken into account the mitigation hierarchy.
- 3.6 **Strategic Policy SP2.2 Conserving & Enhancing Dartmoor's Biodiversity & Geodiversity:** Policy wording change – all development must conserve and enhance *all* Dartmoor's biodiversity... Also, removal of text to ensure that requirements for designated biodiversity sites and identified habitats are distinct from those requirements that apply to all biodiversity. This rewording and clarification will strengthen the positive effects found for SA No 3 Biodiversity – and such positive effects are likely to be synergistic and cumulative in the longer-term.
- 3.7 **Strategic Policy SP2.3 Biodiversity Net Gain:** Deletion of "...with the potential to impact on biodiversity..." in policy text and changed wording in supporting text to make explicit that biodiversity net gain is applied to both protected and unprotected habitat, and that net gain is applied consistently. This clarification will help ensure that net gain is applied to all development and for all biodiversity, thus, strengthening the positive effects found by the SA for SA No 3 Biodiversity.
- 3.8 **Strategic Policy 2.7 Conserving & Enhancing Heritage Assets:** Additional wording to ensure consistency with NPPF paragraphs 16(d) and 185. The addition of "*Great weight will be given to the conservation of designated heritage assets. All proposals should avoid harming an asset's significance, and where harm is justified, it should be minimised*" strengthens the mitigation measures provided through policy wording by making explicit the weight and significance regarding any negative effects on historic assets. As such, this will strengthen the SA findings for SA No 4 Historic Environment. The previous SA had found that the plan policies were "*...likely to have at least neutral effects that could be minor positive with enhancement – depends upon precise development and location.*" The additional policy wording will strengthen the mitigation provided through policy and confirm at least neutral effects for the historic environment through avoidance of harm.
- 3.9 **Minerals, Waste & Energy Strategy:** The additional wording ... ..maximise use of recycled materials and secondary aggregates "*as far as practicable...*" recognises that that practicability needs to be taken into account to avoid/minimise adverse effects on other sustainability objectives whilst seeking to maximise the positive effects for SA No 5 Soil, Land & Minerals, and No 14 Waste & Recycling. This is unlikely to affect the previous SA findings of minor positive to neutral effects for SA No 5.
- 3.10 The additional wording in strategy text - Renewable energy will be encouraged where "*it is not major development*" clarifies what constitutes large-scale in the National Park and thus, helps to ensure that any negative effects would be minimised through guidance on scale. This further supports the positive effects found in the previous SA by making more explicit the mitigation measures that limit the size of renewable energy development.

- 3.11 **Para 7.1.10 Site Allocations:** Additional wording to make explicit that the Site Briefs “...describe the landscape mitigation or specific assessment or reports which would be required as part of an application.” Also, to make explicit that the Site Briefs “should be taken into account in preparing applications in order to ensure proposals are consistent with the Local Plan as a whole.” The additional wording in the supporting text provides further clarification and makes explicit how the Site Briefs should be taken into account. The previous SA found that the selection of proposed sites for new development through location, small size and type had been made carefully and to integrate with the existing built environment, thus minimising potential negative effects and optimising opportunities for positive effects where possible. The additional clarification regarding Site Briefs supports the SA findings that such embedded policy mitigation measures are likely to reduce any negative effects to at least neutral. Overall, provision of housing and employment land will have major positive effects that will be cumulative in the longer-term.
- 3.12 **Proposal 7.6:** Removal of site allocation at Holne Road, Buckfastleigh. Replacement with new Proposal Land at Timbers Road, Buckfastleigh. The Land at Holne Road had previously been considered to be deliverable in the Regulation 19 draft of the DNPA Local Plan. A planning application was submitted on the site (0452/18 - residential development for up to 30 dwellings). It was considered by the Development Management Committee in September 2020 and the application was refused for two key reasons:
- The application was not going to deliver affordable housing on site - the application was not supported by appropriate information regarding viability, though this strongly indicated that a meaningful on-site affordable housing contribution was unachievable.
  - The application was not supported by appropriate information in respect of the Habitat Regulations, in order for DNPA as competent authority to conclude no likely significant effect on the South Hams SAC (Special Area of Conservation).
- 3.13 In essence the nil on-site affordable housing contribution meant the proposal is failing to deliver basic policy requirements – the principle which justified the site being identified for development in a National Park. In the absence of affordable housing, it was concluded that there are no overriding reasons to approve a development which may impact upon the SAC; the test of IROPI (Imperative Reasons of Overriding Public Interest) is not met. Therefore, it cannot be demonstrated that the allocated site at Holne Road is deliverable, and it is proposed to be removed from the Plan. The previous SA had found positive effects for housing and noted that potential negative effects could be mitigated through site requirements and the details of the Site Brief. The removal of the site allocation removes both positive and (mitigated) negative effects.
- 3.14 The **Land at Timbers Road** was investigated through SA as a site option (16/038) and the detailed findings are reported in Appendix V [SD10] and summary findings are presented in Table 6.1 of the submitted SA Report [SD05]. The Land at Holne Road was identified in the extant Local Plan, and

at the time of preparing the draft DNPLP, had appeared deliverable (subject to viability). Alternative site options at Timbers Road and Oaklands Road had therefore not been needed within this Plan period.

- 3.15 There was some concern about access, highways and sustainable transport with the Timbers Road site option and potential minor negative effects for settlement character and community identity due to its location at the south-western boundary of the settlement and as compared to other extant allocated sites in Buckfastleigh (Holne Road and Barn Park). Table 6.2 [SD05] outlines the reasons for the site option not being progressed into the draft plan as being some concern over access and highways. The MM Proposal 7.6 Land at Timbers Road includes for Parcel B of the land to be allocated for delivery of appropriate highway improvement works to access Plymouth Road, and thus providing mitigation measures to resolve the concerns. Potential issues for surface water associated with the highway are also addressed through mitigation requirements in section 3 (b) of the Proposal. The Land at Timbers Road has now been progressed as it is now deliverable with the appropriate highway improvements for access; and its capacity to provide around 70 homes with not less than 45% affordable housing to meet identified local needs progresses key plan aims for affordable housing for local people.
- 3.16 The change of Proposal from Holne Road to Timbers Road enhances the positive effects for housing, including affordable housing, through increasing the capacity from around 28 to around 70 homes. Negative effects have been mitigated through policy requirements and the Site Brief.

### **Habitats Regulations Assessment**

- 3.17 Natural England advised that they had signed off the HRA and agreed with its conclusions that there would be no adverse effects on the integrity of protected sites. The key MM to the Plan is the change from a site allocation at Holne Road to a site at Timbers Road, Buckfastleigh. However, the amended Proposal 7.6 still retains the policy requirement that applications should be supported by evidence to inform an appropriate assessment (Habitats Regulations) in order to establish that development of this site will have no adverse impact on the South Hams Special Area of Conservation. The robustness of this policy requirement (which is repeated in other allocations with the potential to impact the South Hams SAC) was discussed at hearings, and the Inspector has not directed any alterations to it. Therefore, the previous findings of the HRA/AA remain relevant and valid - the DNPA Local Plan will not have adverse effects on the integrity of protected sites, alone or in combination.

## 4.0 SUMMARY & NEXT STEPS

- 4.1 The proposed draft Dartmoor National Park Local Plan was submitted to the Secretary of State for independent examination on 22 September 2020. Hearing sessions were held virtually between 2 March and 12 March 2021. The Inspector advised in her Post Hearing Action Points Note [ED42] (22 April 2021) that she considered the DNPA Local Plan to be a plan that could be found sound subject to Main Modifications (MMs). The Authority prepared draft MMs and submitted these to the Inspector for comment during May 2021.
- 4.2 The implications of the MMs on the findings of the previous SA/SEA and HRA/AA have been investigated. The MMs were screened for their significance with regard to the assessment processes. It was noted that many amendments are for updating and to provide further clarity and as such are not significant for SA and HRA.
- 4.3 Those MMs identified as potentially significant for SA/SEA and HRA/AA were then considered using the same methods and assessors as for the submitted SA and HRA Reports. Many of the MMs were refinements that strengthened policies through making certain requirements explicit, for example, that net gain applies to all biodiversity – protected and not protected, and that great weight should be applied to designated historic assets.
- 4.4 The key change has been the deletion of one site allocation at the Holne Road and the inclusion of another site allocation at Timbers Road, Buckfastleigh. Potential negative effects for access and the highway have been mitigated through provision of a parcel of land and requirement for appropriate improvement to the highway. The greater capacity of the Timbers Road site provides an enhanced positive effect for SA housing objectives, including for affordable housing for local need that is a particular issue for the DNPA.
- 4.5 Overall, the previous findings of the SA/SEA remain relevant and valid. The refinements strengthen the mitigation measures embedded in the policies and thus confirm that there will be no significant negative effects and that positive effects have been optimised. The previous findings of the HRA/AA remain relevant and valid - the DNPA Local Plan will not have adverse effects on the integrity of protected sites, alone or in combination.
- 4.6 The proposed MMs will be subject to public consultation commencing 7 June 2021, including this SA Addendum Report. The Inspector will consider any representations made and then her final report will be published later in 2021. Upon adoption of the modified Plan, an SA Adoption Statement will also be prepared and published, in accordance with regulatory requirements.