

About you

- First name: Philip
- Surname: Hutt
- Address: [REDACTED]
- I am completing this form as: An organisation
- If other, please specify: •
- Job title: Chief Executive
- Organisation: Dartmoor Preservation Association (DPA)
- On behalf of: Myself and the Trustees of the Dartmoor Preservation Association
- Email address: [REDACTED]
- Did you submit comments on the Regulation 18 (First Draft) Local Plan?: Yes
- Local Plan Consultee List: I would like to be added to the Local Plan consultee list

Share your comments

- Does your comment relate to a paragraph, policy or policies map?: Policy
- Please tell us which paragraph/policy your comment relates to: 3.4 (2) Housing in Rural Settlements
- Do you consider the Local Plan to be legally compliant?: Yes
- Do you consider the Local Plan to be sound?: No

- Do you consider the Local Plan to be compliant with the duty Yes to co-operate?:

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

- Please tell us why you have answered yes and/or no to the questions above:

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.

- What modifications do you consider necessary to make the Local Plan legally compliant and/or sound?:

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.

- Do you wish to participate in hearing session(s)?:

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

- If you answered yes to the hearing session(s), please tell us why you

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

consider this to be necessary:

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.

Share your comments

- Does your comment relate to a paragraph, policy or policies map?: Policy
- Please tell us which paragraph/policy your comment relates to: 3.3 (2) Housing in Local Centres
- Do you consider the Local Plan to be legally compliant?: Yes
- Do you consider the Local Plan to be sound?: No
- Do you consider the Local Plan to be compliant with the duty to co-operate?: Yes

- Please tell us why you have answered yes and/or no to the questions above:

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.

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%.

- What modifications do you consider necessary to make the Local Plan legally compliant and/or sound?:

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.

- Do you wish to participate in hearing session(s)?:

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

- If you answered yes to the hearing session(s), please tell us why you consider this to be necessary:

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.

Share your comments

- Does your comment relate to a paragraph, policy or policies map?: Policy
- Please tell us which paragraph/policy your comment relates to: 2.2 (2) Conserving and enhancing Dartmoor's biodiversity and geodiversity
- Do you consider the Local Plan to be legally compliant?: No
- Do you consider the Local Plan to be sound?: No
- Do you consider the Local Plan to be compliant with the duty to co-operate?: Yes

- Please tell us why you have answered yes and/or no to the questions above:

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.

- What modifications do you consider necessary to make the Local Plan legally compliant and/or sound?: 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.
- Do you wish to participate in hearing session(s)?: Yes, I wish to participate in hearing session(s)
- If you answered yes to the hearing session(s), please tell us why you consider this to be necessary: 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.