

## DARTMOOR NATIONAL PARK AUTHORITY

10 January 2014

**MOOR THAN MEETS THE EYE – LANDSCAPE PARTNERSHIP BID**Report of the Director of Conservation and CommunitiesRecommendation : **That Members:**

- (i) Formally adopt the Landscape Conservation Action Plan (LCAP) and authorise the Chief Executive (National Park Officer), in consultation with the Chairman, to agree any minor modifications that have to be made before submission.**
- (ii) Agree an additional £100,000 cash contribution to the scheme to be taken from unallocated reserves.**
- (iii) Re-affirm the Authority's commitment to act as lead partner for the scheme.**
- (iv) Authorise the Chief Executive (National Park Officer) to submit the second round application as lead partner on behalf of the Partnership.**

**1 Background**

1.1 The Heritage Lottery Fund Landscape Partnership programme offers support for schemes that provide long-term social, economic and environmental benefits for rural areas. Schemes must be focused in area of distinctive landscape character; be primarily for public benefit, not private gain; and deliver evenly across four programme outcomes:

- conserving or restoring the built and natural features that create the historic landscape character;
- increasing community participation in local heritage;
- Increasing access to and learning about the landscape and its heritage; and
- Increasing training opportunities in local heritage skills.

1.2 Members will be aware that the Authority is the Lead Partner for the development phase for *Moor than meets the eye*, a Landscape Partnership Scheme funded through the Heritage Lottery Fund (HLF). £100,000 was awarded to the scheme from the HLF in July 2012 as a development grant, this was matched by £98,700 from project partners including £40,400 from Dartmoor National Park Authority. This funding has been used to undertake further research, appoint a project team to work with local communities and to develop the second round submission to the HLF. If successful this application will provide access to a further £1.9 million of funding which has been earmarked by HLF for the scheme.

1.3 As 'Lead Partner' the Authority will be responsible for the general administrative, financial and management functions of the Scheme, including the overall monitoring of actions and projects undertaken by Partners in the delivery of the Scheme; it will be responsible for completing and submitting the grant application and grant claims;

taking receipt of grant claim monies; the retention of core documents and records relating to the Scheme.

- 1.4 Although the Authority is the Lead Partner the scheme is steered by a Project Board (LPB) comprising representatives of the key delivery partners, funders and representatives of the local community. Delivery partners represented on the LPB include: Dartmoor Farmers' Association, Dartmoor Partnership, Dartmoor Preservation Association, Dartmoor Commoners' Council, Devon County Council, Duchy of Cornwall, English Heritage, Natural England, the Royal Society for the Protection of Birds, South West Lakes Trust and the Woodland Trust. It is the Project Board that makes decisions about the strategic direction of the scheme and will monitor progress against agreed delivery targets. The partners comprising the LPB must be linked together through a written agreement for the purposes of delivering the scheme. A Memorandum of Agreement has been produced for this purpose, to agree governance arrangements and formalise funding and delivery commitments of partners.
- 1.5 A Local Stakeholders Group (LSG) has been established. Members of this group were chosen to represent local communities and communities of interest in the area after responding to an advert in the local press. Three members of the LSG sit on the LPB so that the views of local communities are taken into account in the decision making process. The amount of time and commitment shown by members of the LSG has been outstanding and officers are very appreciative of this.
- 1.6 The second round application has to be submitted to the HLF on 16 January 2014. Before this can be done a number of things have to be completed:
  - the Memorandum of Agreement has to be signed by all partners of the Landscape Partnership Board.
  - The Project Board and Dartmoor National Park Authority (as lead partner) have to formally approve and adopt the Landscape Conservation Action Plan (LCAP) which is the main document outlining the justification for the scheme, its aims and objectives and its constituent projects.
- 1.7 The purpose of this report is to update Members on progress; to ask Members to consider and formally approve the LCAP; and to agree and confirm the Authority's match funding for the scheme.
- 1.8 A decision on the second round application is expected in June 2014.

## **2 Update on Delivery of the Development Phase of the Scheme**

- 2.1 A number of key research projects have been completed during the development phase of the scheme and will provide valuable information for inclusion in the LCAP. These include:
  - A Skills Audit which identified skills and training needs for people in the areas related to the conservation, understanding, interpretation and promotion of heritage.
  - A set of people counters have been established at sites across the area to allow future monitoring of visitor numbers and aid future management.

- A LIDAR survey has been completed for Forestry Commission plantations at Bellever, Soussons and Fernworthy and the East Dartmoor National Nature Reserve. This has been followed up by a full field survey at Fernworthy and surveys by volunteers at a number of other sites. The information gained from these surveys have helped shape detailed proposals for the round 2 submission.
- Research into the bat population in the East Dartmoor NNR has also been completed to help develop detailed proposals for further conservation of this species.
- An audience development and interpretation plan has been developed utilising existing visitor information and new public surveys.

2.2 One of the crucial areas for development over the past 18 months has been the need to engage further with local communities. The project team have attended a range of public meetings, local shows and parish council meetings to discuss the scheme and develop further proposals with the community. The team has organised public meetings at Postbridge, Widecombe and Lustleigh and held a community workshop at Moretonhampstead.

2.3 The Community Officer has worked with schools to build up stronger community links on and off the moor, and to help connect young people with their wildlife heritage. In November 2013 a successful lantern walk was organised involving 180 children from three local schools, helping to discover and bring to life the story of the old railway line from Bovey to Moretonhampstead.

2.4 The complexity of the scheme made it difficult in the early stages to communicate the project to local communities and foster engagement. The process has been an interesting learning curve and there has not been support for all of the proposals. As a result some of the projects included in the LCAP have changed from those originally submitted. The changes are summarised in section 3 below.

### 3 The Landscape Conservation Action Plan

3.1 This document provides the backbone of the second round application to the HLF. The Plan sets out the strategic framework for the area and establishes a clear vision. It contains a programme of work that will meet the four outcomes required for the Landscape Partnership Scheme and clarify how the project will be managed and delivered. The Plan has eight sections:

1. **Understanding your Landscape Partnership Area** – this describes the landscape character of the area and in particular the heritage that contributes to the distinctiveness of the landscape. It will expand on the information provided in the first round submission and much of the research undertaken over the past 18 months will be used to support this part of the document.
2. **Statement of Significance** – This section of the plan looks at the range of heritage in the landscape area, why it is important and who values it. The community events and activities undertaken over the last 12 months will provide useful information for this section.
3. **Risks and opportunities** – in this section we need to consider what is happening to the heritage; what the risks are and whether there are any emerging opportunities to enhance the heritage.

4. **Aims and objectives to deliver the 4 Landscape Partnership outcomes** – this section outlines how we intend to look after or improve the heritage, how we will address needs and increase community participation; it will show how we will increase access for people to enjoy the heritage and look at learning and training opportunities.
5. **Scheme plan and costs** – this is the detailed work plan for the scheme including budget, timeframe and milestones. It will include volunteer and in kind contributions and will also include details of the staffing and overheads.
6. **Sustainability** – in this section we need to outline how the scheme will be sustained in the longer term including an exit strategy for the project and the partnership.
7. **Evaluation** - this section of the plan outlines how we will measure and evaluate the scheme and is an area we were asked to improve upon after the round 1 submission. Further work has been completed on this during the past 12 months and a tender for external evaluation of the scheme has been drafted.
8. **Adoption and review** – we need to show evidence that the plan has been formally adopted and commitment to its implementation and review. This report is part of that process.

3.2 Sections 1,2,3,4 and 7 of the LCAP are complete and are available to view on the website at <http://www.dartmoor.gov.uk/aboutus/landpartbid> These chapters have been agreed by the Project Board and therefore any further changes will be minor. Section 5, the final detailed version of the scheme plan and costs is still being completed at the time of writing this report and will be sent to Members under separate cover. Members' views are invited on the LCAP.

#### 4 Scheme plan and budget

4.1 The community engagement work over the past 18 months has resulted in a range of new projects coming forward for consideration and also a change to some of the initial outline proposals in light of further research and consultation. The Project Board met on 11 December to discuss the projects and develop a balanced budget with equal outcomes across the four areas as required by the HLF. This has resulted in some changes to the scheme as outlined in the table below and a summary of the revised budget is attached at Appendix 1.

Project Title	Comment
<b>Conserving or restoring built and natural features</b>	
Moorlands birds	Originally focussed just on the red-backed shrike but now widened to include monitoring, conservation and interpretation of a range of moorland birds. <b>Scope widened</b>
Natural Connections	Restore, enhance and expand the unique concentration of hay meadows and protect rare species such as moonwort and greater winged orchid. Develop integrated management plans for wet valley systems in the bid area and protect important BAP species such as the marsh fritillary and bog hoverfly. <b>Remains unchanged</b>

Discovering the nature of the Bovey Valley	This project has <b>changed significantly</b> following community engagement and consultation. It is an integrated conservation and access project but the emphasis has moved to focus more on conservation of biodiversity and archaeology.
Pound Ponies and Driftways	This project to help restore a number of pounds and driftways in the area has <b>remained unchanged</b> .
Management of heavily used sites in the Dart valley	<b>No specific proposals</b> under this heading but there will be interpretation and outreach activity provided through the project team and through the interpretation strategy.
Unveiling the Bronze Age landscape	This project will allow for further research and conservation of archaeology in the Whitehorse Hill area, the Forestry Plantations and a number of scheduled monuments. It will include significant volunteering opportunities and interpretation. <b>Remains largely unchanged</b> but the detailed work will be influenced by the surveys undertaken this year.
Higher Uppacott	Proposals to repair and enhance the property and garden <b>remains generally unchanged</b> but the detailed proposals have been informed by a Conservation plan produced by external consultants during 2013.
Ancient Boundaries, Modern Farming	<b>A new project</b> that has been put forward by the Hill Farm Project working with a group of farmers and is essentially a grant scheme to help repair significant walls and gateways which are clearly visible from the highway or well used access routes. A deterioration of walls is clearly evident as you pass through the project area and this scheme aims to work with farmers to help address that need.
Hameldown WWII Bomber crash site	<b>New project</b> identified by the local community to conduct research and geo-physical survey of the crash site to determine what actually took place and where.

Project Title	Comment
<b>Increasing Community Participation in local heritage</b>	
Bellever Time Trail	<b>Changed significantly</b> following consultation with the community. New project promotes a series of walks and visitor management proposals in the Postbridge/ Bellever area to help people explore and learn about the Forest and the village and stay longer. The new proposals have been shaped by external consultants working with local community interests.

Parishcapes	This project has also <b>changed significantly</b> in response to concerns from local communities that they wanted to shape proposals in their locality. The new project is much larger and comprises a grant scheme for local communities to apply for help to research, share and conserve features of interest in their area. It also includes a number of projects submitted by local communities during the year and these will be used to test and pilot the approach in the first year.
Moor Medieval	Undertake community based research into the extent and pattern of medieval origins in 5 parishes across the area. <b>Remains unchanged</b>
Welcome to Widecombe	<b>A revised proposal</b> from the Widecombe community to produce information and interpretative material for visitors to the village.
Managing Volunteers	A small budget for volunteers who may be working in the area, providing tools, training and other support as necessary. <b>Remains unchanged</b>
In the Footsteps of the Victorians	A <b>significant new project</b> submitted by the local history societies in Moretonhampstead, Bovey Tracey and Lustleigh. It will research the changes that took place during the Victorian era that transformed the communities and landscape of the Wrey Valley.
Moor Boots	<b>A new project</b> submitted by the Dartmoor Preservation Society to help young people from disadvantaged backgrounds access expedition equipment required to undertake outdoor activities on Dartmoor.
Pony Herd Identification Project	<b>A new project</b> to improve awareness of the identification of pony herd and allow research into family lines.
Whitehorse Community Play	<b>A new project</b> proposed by MED theatre to develop a community play inspired by life in and around Bellever starting from the bronze age.

<b>Project Title</b>	<b>Comment</b>
Increasing access to and learning about the landscape and its heritage	
Wrey Valley Trail	<b>Remains unchanged.</b> To develop a multi use community path on the disused Moretonhampstead railway line. A significant project associated with the Victorian theme.
Heritage Trails	<b>Significantly changed</b> in response to consultation. Rather than one Heritage Expedition Trail a new interactive map will be developed to allow for continued updating of new heritage trails across the area spreading the use and benefit.
Fernworthy Reservoir access and interpretation	<b>Remains unchanged.</b> Improve heritage themed trails at Fernworthy providing access for all.

Postbridge National Park Visitor Centre	<b>Project remains similar</b> to improve the layout and functionality of the building and improve the interpretative offer. Slight change in emphasis following community engagement.
The Dartmoor Story – Interpretation	<b>Revised detailed proposals</b> based upon the audience development plan and interpretation strategy developed over the past year.
Foot on the farm	<b>Remains similar to original proposal</b> but developed further by the Hill Farm Project in collaboration with Dartmoor Women in Farming group and pilot farm events programme during 2013.
Beating heart of Dartmoor	<b>A new project</b> and part of a much larger project to tell the story of parish farming through the ages from the lost “medieval manor of the moor” at North Hall Farm in Widecombe. Will include utilising volunteers and trainees to repair agricultural machinery.
Brimpts Tin Trail	<b>A new project</b> to improve awareness of the unique Brimpts Tin Mines Trail and of Dartmoor’s tinworking heritage, by making information about the trail and tinworking more accessible to more people, both at Brimpts, online and in the community.

Project Title	Comments
Increasing Training Opportunities in local heritage skills	
Dartmoor Diploma	Within original bid but <b>detail and scope altered</b> over the past year after discussion with potential operators and in light of skills audit to develop a workable proposal.
Eco skills at Yarner Wood	<b>Unchanged.</b> Proposals for a training programme for new graduates and base for potential rural skills training events.
East Shallowford Trust	<b>A new project</b> to develop training in rural skills including some delivery of the Dartmoor Diploma.

4.2 A number of projects identified during the development phase have not been taken forward due to budget and eligibility issues, but the team will remain in contact with partners and will continue to provide advice on alternative funding sources. Although some changes have been made to the list of projects and in some cases the emphasis given to them, it is important to note that the vision and themes for the scheme remain the same.

4.3 As well as the delivery projects listed above the scheme also includes a project team to support its implementation. The proposed team comprises a full time Project Manager, a full time Community and Events Officer, a part time Community Ecologist, a part time Community Heritage Officer and a part time Finance and Administrative Officer. The Authority will appoint and host the team and it is anticipated that they will be based at the National Park Offices in Princetown.

- 4.4 In approving the round 1 application the HLF asked that the second round bid include more rigorous proposals for monitoring and evaluation. A project brief has therefore been written for an external monitoring and evaluation contract utilising experience from other landscape partnership schemes across the country. This is detailed in chapter 7 of the LCAP and a budget of £20,000 allocated to this work.
- 4.5 Appendix 1 shows a breakdown of the revised budget. The total budget now stands at £3,933,030. This is £41,436 higher than the budget agreed at round 1 and officers are currently liaising with HLF to ascertain whether this will be acceptable. Members will also note that there is a match funding shortfall of £150,214 (£191,650 if you add the £41,436 “overspend”). This is due to loss of certain unconfirmed match funding since the submission of the round 1 application. HLF does not require that all match funding is in place when the bid is submitted but the Partnership will need to secure the additional funding over the five years of implementation.

## **5 Conclusion and Recommendations.**

- 5.1 The Landscape Partnership provides an opportunity to support a scheme that will provide long-term social, economic and environmental benefits for the identified area and for the wider National Park. Many of the proposed projects now feature in the National Park Management Plan and therefore if successful this scheme will provide a significant funding stream to deliver the management plan over the next five years.
- 5.2 The Partnership has successfully delivered the elements of the development work set out in the first round submission and this has provided valuable information in support of the second round application. We identified the need to focus development work on improving community engagement and this has provided some useful experience and challenges for the team. We hope that fruitful relationships are being formed with some of the local groups and communities in the area and the new focus on Parishcapes will be an important element in moving this work forward and showing ongoing commitment during delivery of the scheme.
- 5.3 As lead partner for the scheme the Authority will be responsible for administering the grant received and act as the employer for the Landscape Partnership staff team. There will continue to be staff time costs to the Authority in terms of line management of the Project Manager; participation in the Landscape Partnership Board; and technical, financial, human resources, legal and other support. There will also be a cost to the Authority in hosting the team which cannot be reclaimed.
- 5.4 Specialist officers have already invested significant time in developing the detail required for the second round submission and in some cases they will continue to take an active role in delivering the proposed projects. This time will need to be built into work programmes for 2014/15 and beyond.
- 5.5 There are major projects within the revised scheme for both Postbridge Visitor Centre and Higher Uppacott and if successful the bid will allow us to see a step change in the way both of these venues are presented. Postbridge Visitor Centre will have improvements to the layout of the building and a much improved interpretative offer clearly themed around archaeology and Whitehorse Hill. Higher Uppacott now has a Conservation Plan in place and proposals for its future representation and ongoing maintenance which provides the Authority with a clear path for the future. The total



cost of these projects is £362,250 and, if the Authority was to fund these to a level of 50% a contribution of £181,125 would be required.

- 5.6 DNPA representatives have strongly supported the Parishcapes project which now has a budget allocation of £175,400. If the Authority could provide some match funding towards this work it would show our commitment to working with communities on projects that are important locally. A contribution of £25,000 would be appropriate over the five years.
- 5.7 Members will recall that the Authority has already authorised £100,000 towards the scheme which was drawn from the budget for 2012/13 and will be held as an allocated reserve until required. If Members agree to match fund the work at Postbridge Visitor Centre and Higher Uppacott by 50% and support Parishcapes to a level of £25,000, a further £106,125 will be needed to be allocated to the scheme from unallocated reserves.
- 5.8 There has been significant interest in the scheme and the consultation has resulted in changes to the projects being developed for the second round submission, however the overall vision and themes of the scheme have remained the same and are supported.

## **6 Financial Implications**

- 6.1 As indicated above, there is both a direct and indirect cost to the Authority in supporting this Landscape Partnership bid. At its meeting on 3 February 2012 the Authority agreed a contribution of £100,000 to the second round submission and this is still being held as an earmarked reserve for that purpose. Members are now being asked to allocate a further £100,000 from unallocated reserves. This will show commitment to the capital projects being undertaken at Higher Uppacott and Postbridge and the wider community benefits of the scheme. It will also help with the second round application as the level of secured cash contribution to the scheme will be higher and it will reduce the shortfall in match funding to £91,650 (assuming HLF approved the revised budget).
- 6.2 Members should note that although partners have allocated their match funding to specific projects, the money for the implementation phase should form part of the 'Common Fund'. This is a technical term used to describe the financial contributions [cash and non-cash] available to deliver the Landscape Partnership scheme which are pooled together as a single fund

## **7 Sustainability & Equality Impact**

- 7.1 In developing the round two submission we have worked with partners to shape a bid that will provide long-term social, economic and environmental benefits for the identified area. The partnership have taken on views of the local communities and balanced these with the eligibility of grant. The second round application contains projects that have been selected to improve access to and understanding of the area by all sectors of society; support local communities and businesses; and deliver a range of environmental benefits.

## **8 Recommendations**

- 8.1 Members are asked to offer comments on the LCAP and then formally adopt the plan. If minor modifications are required to the plan after the meeting it is recommended that Members authorise the Chief Executive (National Park Officer) in consultation with the chairman to agree this. Members are also asked to allocate a further £100,000 from reserves as match funding to the bid.

ALISON KOHLER

**Attachments: Appendix 1 - Draft budget**

20140110 AK Landscape Partnership

Code	Title	Budget
<b>PROGRAMME A - Conserving or restoring the built and natural features that create the historic landscape character</b>		
PA1	Moorland Birds	£ 84,896.00
PA2	Postbridge Haymeadows	£ 5,000.00
PA3	Natural Connections	£ 5,000.00
PA4	Discovering the Nature of the Bovey Valley	£ 550,429.00
PA9	Ponies, Pounds and Driftways	£ 40,000.00
PA10	2 Heavily Used Sites in the Dart Valley	£ -
PA11	Unveiling the Bronze Age landscape of the high moor and forests	£ 113,000.00
PA14	Higher Uppacott	£ 172,250.00
PA18	Ancient Boundaries, Modern Farming	£ 100,000.00
PA19	Hameldown WWII Bomber Crash Archaeology Survey	£ 2,300.00
	Historic Weirs	£ -
<b>TOTAL:</b>		<b>£ 1,072,875.00</b>
<b>PROGRAMME B - Increasing community participation in local heritage</b>		
PB1	Bellever/Postbridge Trails	£ 124,400.00
PB2	Parishscapes	£ 175,400.00
PB3	Moor Medieval	£ 20,000.00
PB5	Welcome to Widecombe	£ 30,000.00
PB8	Managing Volunteers	£ 25,000.00
PB10	In the Footsteps of the Victorians	£ 102,300.00
PB13	Friends of Higher Uppacott	£ -
PB14	Pony Herd Identification Project	£ 10,000.00
PB15	Moor Boots	£ 20,000.00
PB16	Ashburton Stannary Boundary Celebration	£ -
PB18	Dartmoor Legends	£ -
PB19	Whitehorse Community Play	£ 14,350.00
PA16	Dartmoor Heritage Network	£ -
<b>TOTAL:</b>		<b>£ 521,450.00</b>

Code	Title	Budget
<b>PROGRAMME C - Increasing access to and learning about the landscape and its heritage</b>		
PC1	Wray Valley Trail	£ 835,000.00
PC2	Heritage Trails	£ 21,238.00
PC4	Tramper Hire	£ -
PC5	Fernworthy Reservoir Improved Access	£ 120,696.00
PC6	Postbridge Visitor Centre	£ 190,000.00
PC7	MTMTE Interpretation	£ 100,000.00
PC8	Foot on the Farm	£ 25,000.00
PC11	Beating Heart of Dartmoor	£ 20,000.00
PC14	Local Cultural Heritage On Four Legs - Bellever	£ -
PC16	Young Peoples Landscape Stories	£ -
PC18	Whitehorse Hill and Bellever through the ages educational visits	£ -
	Brimpts Tin Trail	£ 10,300.00
	Farmer 3D Game	£ -
<b>TOTAL:</b>		<b>£ 1,322,234.00</b>
<b>PROGRAMME D - Increasing training opportunities in local heritage skills</b>		
PD1	Dartmoor Diploma	£ 180,000.00
PD4	EcoSkills	£ 150,000.00
PD7	East Shallowford Trust	£ 30,000.00
PD8	Traditional Woodland and Farm Work with Heavy Horses	£ -
<b>TOTAL:</b>		<b>£ 360,000.00</b>
<b>PROJECT TOTALS</b>		<b>£ 3,276,559.00</b>

<b>Code</b>	<b>Title</b>	<b>Budget</b>
<b>PROGRAMME E - Overheads, scheme staffing and running costs</b>		
E1	Staff Team	£ 628,471.00
E2	Office Costs	£ -
E3	Transport, Subsistence	£ 5,000.00
E4	Training	£ 3,000.00
E5	Communications	£ -
E6	Monitoring and Evaluation	£ 20,000.00
E7	Professional fees	£ -
<b>PROGRAMME E TOTAL:</b>		<b>£ 656,471.00</b>

<b>SCHEME TOTAL</b>	<b>£ 3,933,030.00</b>
<b>ROUND 1 APPLICATION</b>	<b>£ 3,891,594.00</b>
<b>BALANCE</b>	<b>£ 41,436.00</b>

CONTRIBUTIONS	Cash secured	In-kind	Unsecured	TOTAL
HLF	£ -	£ -	£ 1,897,700.00	£ 1,897,700.00
Devon County Council	£ 835,000.00	£ -	£ -	£ 835,000.00
Devon County Council (Granite and Gears - Postbridge)	£ 10,000.00	£ -	£ -	£ 10,000.00
Dartmoor National Park Authority (In-kind PA 2/PA3 - £26,862, PA11 - £10,000, PA14 - £19,300, PC2 - £11,338)	£ 100,000.00	£ 67,500.00	£ -	£ 167,500.00
English Heritage (PA11 HARFO time)	£ -	£ 8,000.00	£ -	£ 8,000.00
Woodland Trust	£ 232,970.00	£ -	£ -	£ 232,970.00
Natural England (PA4, PD4)	£ 148,500.00	£ 25,000.00	£ -	£ 173,500.00
Duchy of Cornwall	£ 25,000.00	£ -	£ -	£ 25,000.00
South West Lakes Trust	£ 25,000.00	£ 3,600.00	£ -	£ 28,600.00
Dartmoor Preservation Association	£ 5,000.00	£ 5,000.00	£ -	£ 10,000.00
RSPB	£ 3,000.00	£ -	£ -	£ 3,000.00
Devon Bird Watching Society	£ -	£ -	£ 9,000.00	£ 9,000.00
Dartmoor Action for Wildlife Partnership	£ 21,385.00	£ -	£ -	£ 21,385.00
Forestry Commission	£ 39,000.00	£ 19,525.00	£ -	£ 58,525.00
RAMM (PB10)	£ -	£ 35,000.00	£ -	£ 35,000.00
Third Party Income (PA18, PB10, PD1)	£ -	£ -	£ 112,200.00	£ 112,200.00
Volunteers	£ -	£ -	£ 114,000.00	£ 114,000.00
	£ 1,444,855.00	£ 163,625.00	£ 2,132,900.00	£ 3,741,380.00
Round 1 Total				£ 3,891,594.00
Balance				<b>-£ 150,214.00</b>

DARTMOOR NATIONAL PARK AUTHORITY

10 January 2014

**DRAFT BUSINESS PLAN 2014 – 2015**

Report of the Director of Communications & Business Support

Recommendation: That Members:

- (i) **Approve the Business Plan 2014/15 attached at Appendix 1, with any final amendments being delegated to the Chief Executive (NPO), in consultation with the Chairman of the Authority**
- (ii) **Delegate to the Audit & Governance Committee determination of the detailed performance indicators and associated monitoring framework**

**1 Background**

1.1 Members will be aware that the Authority has endeavoured to refine its Business Planning processes and documents over the years in order to:

- Provide a more strategic approach
- Develop measurable outcomes
- Be proportionate to the size of the organisation
- Be clear about priorities

1.2 A key role of the Business Plan is to provide a link between the National Park Management Plan and Directorate Plans and individual appraisals. As approved by the Authority a separate annual review is produced separately in June each year to report on performance and highlight key projects undertaken in the year.

1.3 Although funding should be confirmed for 3 year periods through the Comprehensive Spending Review (CSR) process, this has not happened in practice for a number of years. As a consequence the Business Plan is produced on an annual basis rather than every three years. Some actions will, of course, have a longer timeline.

**2 Priorities for 2014/15**

2.1 The priorities for the Authority are reviewed on an annual basis commencing in July each year at the annual Member workshop. At the workshop in July 2013 Members considered the current priorities and were asked to select 3 key priorities going forward. There was consensus that these should be: Conservation of the Natural Environment; Communication & Community Engagement and Economic Growth. Members were concerned, however, about the relative priorities of the more detailed work programmes within these headings.

- 2.2 As agreed in the current Business Plan a survey of residents of Dartmoor National Park was undertaken in 2013 and views were invited on the importance of a range of services. This gave opportunity to consider more defined service areas. The top 6 in rank order were: conserving wildlife; conserving the landscape; maintaining access (Public Rights of Way and access land); conserving ancient sites and archaeology; maintaining visitor facilities (car parks and toilets); conserving buildings. A full report on the findings from the residents survey will be presented to the next Authority meeting.
- 2.3 These outcomes were then considered by the Leadership Team and discussed with senior officers in the Authority. The following priorities are recommended from the outcome of the work outlined in 2.1 and 2.2:
- Conservation of the Natural & Historic Environment
  - Work to support a sustainable farming economy
  - Be an excellent organisation
  - Promote a positive experience of Dartmoor National Park for residents and visitors
  - Work towards ensuring Dartmoor has a thriving local economy
  - Improve support to and engagement with local communities
- 2.4 Although not specifically mentioned in the prioritisation exercises, it is considered that there continues to be a need to include an organisational target in the current climate of efficiency and effectiveness; hence the inclusion of the aspiration to be “an excellent organisation”. Members will note that there is synergy and continuity with the priorities identified in recent Business Plans.

### **3 Business Plan 2014/15**

- 3.1 With the adoption of the revised Dartmoor National Park Management Plan 2014-2019, the opportunity has been taken to further revise and refine the Business Plan into a strategic document which is closely linked to the Management Plan. For this reason the structure mirrors the themes in the Management Plan with the priorities and the associated key actions placed in the relevant theme.
- 3.2 Members are asked to consider the format and content of the draft Business Plan 2014-15 and approve it subject to any amendments. The section on funding and expenditure cannot be inserted until the budget for 2014-15 is set.

### **4 Monitoring Performance**

- 4.1 Monitoring the performance of the Authority is a delegated function of the Audit and Governance Committee. There is currently an overarching performance framework containing 28 performance indicators and each Directorate also reports on performance and progress in delivering the Business Plan. This is quite unwieldy and does not effectively monitor performance against the Business Plan.



- 4.2 A revised approach is suggested in the Business Plan which seeks to clarify the outcomes sought and how progress will be measured. It is suggested that it is this which the Audit & Governance Committee should be monitoring and that the detail of the performance framework should be determined by that Committee, including setting targets where required.

## **5 Equality and Impact Assessment**

- 5.1 Under the Equality Act 2010 (the Act) the Authority must prepare and publish one or more objectives it thinks it should achieve in pursuance of the general duty under the Act. The objective(s) must be published not later than 6 April 2012 and subsequently at intervals of not greater than four years. An objective published by the Authority must be specific and measurable.
- 5.2 Members will note that the Business Plan includes specific priorities to promote a positive experience of Dartmoor National Park for residents and visitors and to be an excellent organisation. These priorities will include actions which promote equality of access and awareness and understanding of diversity.

## **6 Financial Implications**

- 6.1 There are no financial implications arising specifically from the draft Business Plan. All the actions will be within the approved budget for 2014/15. It should be noted, however, that a number of actions are dependent on external funding which will not be determined until the summer 2014. If the Heritage Lottery Fund Landscape Partnership bid is unsuccessful, there will be actions in the Business Plan which will not be implemented. Those actions specifically dependent on this funding are annotated with a ❖ in the Business Plan.
- 6.2 The Business Plan itself will not be published in hard copy. It will be made available in electronic form only on the website.

LORNA BROWN

## BUSINESS PLAN 2014/15

### Welcome

Text from CEO (NPO)

### Vision for Dartmoor National Park

*Dartmoor, an inspirational place where, in 2035:*

- *The natural beauty, wildlife and cultural heritage are conserved, **sustained** and enhanced*
- *Local people and visitors **enjoy** and learn more about the National Park*
- *Local communities and businesses **prosper** and benefit from Dartmoor's human and natural resources*

*The National Park is an exemplar in delivering a range of public benefits, and leading the way in developing new approaches and thinking<sup>1</sup>*

### How we will deliver for Dartmoor National Park

*"We will act as an enabler and advocate for Dartmoor National Park; working with others to deliver a National Park that is thriving, inspirational and valued"*

By this we mean:

Enabler	Making things happen Generating and receiving ideas Experimenting and learning Prepared to take managed risks
Advocate	Raise the profile The voice for Dartmoor National Park Lead by example
Others	From local communities to Ministers
Thriving	From local businesses, farming, biodiversity to cultural heritage and local services
Inspirational	Through the work we do, and the special qualities of the National Park, inspire people to: <ul style="list-style-type: none"> <li>• Engage, enjoy and help look after the National Park;</li> <li>• Support and demonstrate how to live differently (i.e. within environmental limits);</li> <li>• Encourage people to try new things, learn more.</li> </ul>
Valued	Support for the National Park Recognition by local communities, visitors, Government and partners of the importance of the National Park and the work of the Authority

<sup>1</sup> Dartmoor National Park Management Plan 2014 - 2019

In addition a number of core values will underpin the way in which we work.

We will:

- ensure that our relationships with the public, partners and each other are founded on honesty, transparency impartiality and consistency, demonstrating equality and fairness in everything that we do and being open to challenge
- value the people who work for Dartmoor - our staff, Members, and volunteers and seek to involve, empower and develop them
- place the environment at the heart of everything we do

## **Our Business Plan**

Dartmoor National Park Authority is a small organisation with limited resources available to fulfil our two statutory purposes of:

- *conserve and enhance the natural beauty, wildlife and cultural heritage of the National Park*
- *promote opportunities for the understanding and enjoyment of the special qualities of the area by the public.*
- 

In carrying out this work, we are also required to:

- *seek to foster the economic and social well-being of local communities within the National Park.*

In the context of severely reducing resources it is imperative that the Authority focuses on key priorities. Much of the work we do is undertaken in partnership with others in order to achieve the best outcomes for Dartmoor National Park, the people who live and work here and those who visit this special place.

This Business Plan includes two significant areas of partnership work involving external funding.

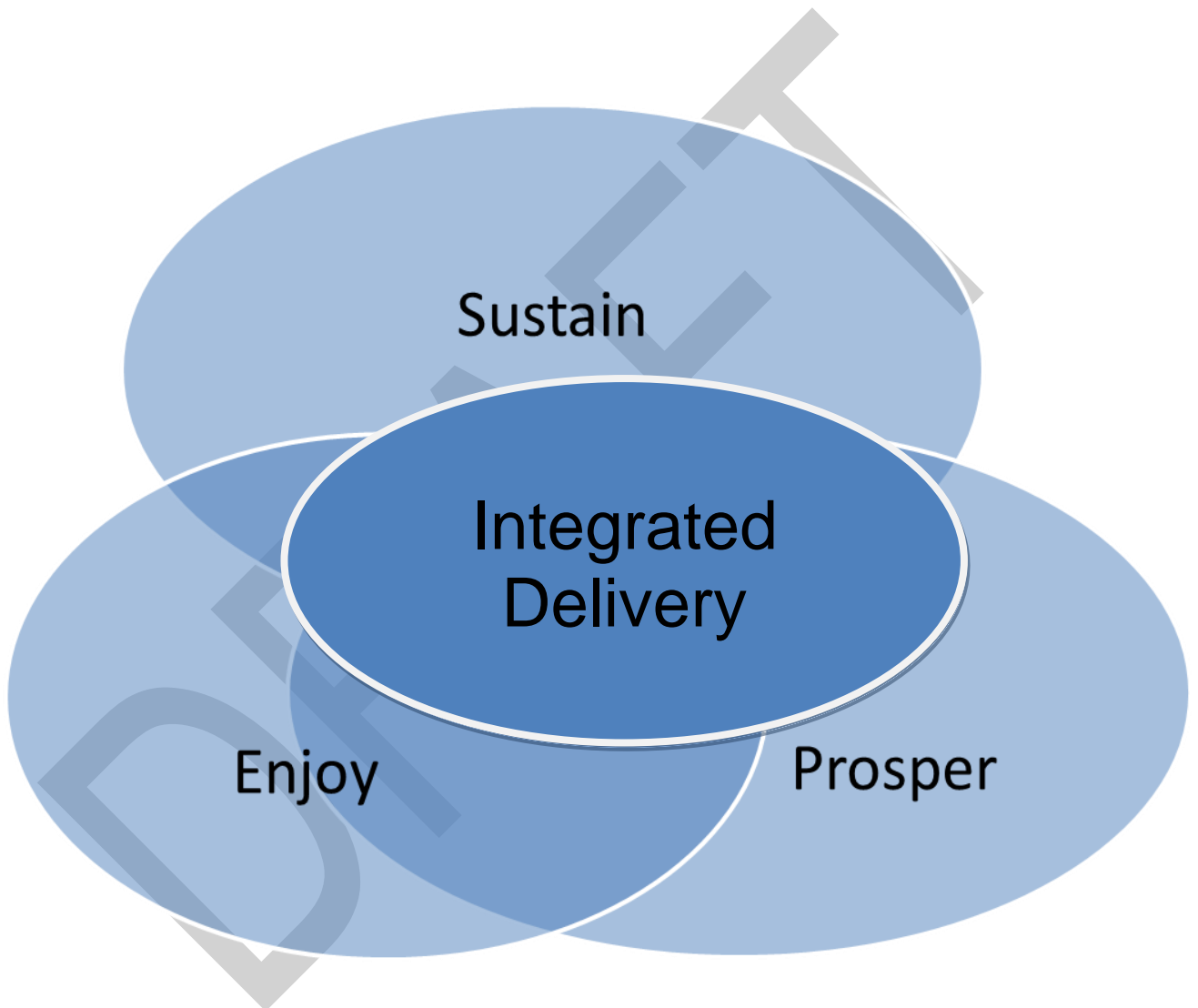
- *Moor than meets the eye* is a Heritage Lottery Fund Landscape Partnership scheme and is the subject of a current funding bid. A number of actions in the Business Plan are dependent on funding being secured. These actions are annotated with a ❖
- *Granite and Gears* is a partnership project to implement cycling improvements to and within Dartmoor National Park. Devon County Council and Dartmoor National Park Authority are the lead partners and funding of £4.4 million has been awarded from the Department for Transport's Linking Communities Fund. The *Granite and Gears* funding is secured and actions will be taken forward in 2014

The priorities in the Business Plan are led by our requirements to meet outcome targets in the Management Plan, but are also informed by Government; the views of Members and staff; and the residents of Dartmoor National Park.

Due to the strong link to the Dartmoor National Park Management Plan, this Business Plan carries the same headline themes of *Sustain, Enjoy and Prosper*.

## The Way we Work

Whilst our work is presented under three themes: *Sustain*, *Enjoy* and *Prosper* our overall goal is to work in an integrated way (often with partners) to ensure that each work area or priority action considers and delivers across all three themes. A project might be focused on sustaining the natural environment but we will always look to ensure we consider and deliver links with the prosperity and enjoyment themes; and vice versa.



## SUSTAIN

### Priority: Conservation of the Natural & Historic Environment

Supports Management Plan priorities of:

*Spectacular landscapes, natural networks* – conserving and enhancing Dartmoor's diverse landscapes, natural ecosystems and improving the connections between them, both within and across National Park boundaries

*Making the most of cultural heritage* - conserving and enhancing the archaeology and historic built environment and helping people discover more about Dartmoor's heritage

Outcomes we seek:

- Improve the condition of key wildlife areas at a landscape scale
- Restoration of areas of Dartmoor's blanket bog through the Dartmoor Mires project
- The planning process and development enhance (where possible) and do not harm the special qualities of the National
- Improved landscape through under-grounding of overhead cables
- Conservation of Dartmoor's archaeology and opportunity for people to discover more about Dartmoor's heritage
- Improve Community engagement in conservation & heritage projects
- Identify, protect and conserve Dartmoor's significant heritage assets

Priority actions to deliver:

- Deliver the final year of the Mires Project, including restoration at Flat Tor Pan and ongoing vegetation and hydrological monitoring. Evaluate the existing scheme and consider options for future work from 2015/16;
- *Living Dartmoor - (Biodiversity Action Plan)* Complete the remaining Delivery Plans for Moorland, Woodland and 6 key species. Continue partnership projects to monitor and/or improve habitats for the southern damselfly, threatened butterflies and bird species;
- Complete Walkhampton undergrounding scheme and investigate the potential for other schemes through OFGEM allowance price review period (2015-2023);
- Run an interactive public cuckoo distribution mapping project on the DNP website alongside a further cuckoo tagging study;
- Higher Uppacott - implement works to improve the fabric and representation of the building<sup>⊛</sup>;
- Whitehorse Hill – work in partnership with Plymouth Museum to produce an exhibition entitled *Whitehorse Hill – A prehistoric Dartmoor Discovery*;
- Reduce the number of Heritage assets at risk, including scheduled monuments and listed buildings, through targeted conservation management works;
- Develop a project to improve understanding, enable better management and promote the Bronze Age landscape on Dartmoor through a programme of survey, research, excavation, interpretation and conservation management works<sup>⊛</sup>;
- Commence preparation of a Minerals Local Plan by scoping and preparing a consultation draft

## How we will measure progress

1. % of SSSI land in:
  - (i) favourable
  - (ii) unfavourable recovering
  - (iii) unfavourable declining condition
2. Number of Listed Buildings 'at risk' conserved during the year
3. Number of scheduled monuments 'at high or medium risk' conserved during the year
4. % length of water courses with "high" or "good" ecological status
5. Species monitoring
6. Mires targets

## Priority: Work to support a sustainable farming economy

Supports Management Plan priority of:

*The future of farming and forestry* – supporting sustainable farming and woodland businesses that conserve and enhance the special qualities of Dartmoor

Outcomes we seek:

- CAP and its implementation through the next Rural Development programme for England provides adequate and appropriate support for sustainable farming systems that help conserve and enhance Dartmoor's special qualities;
- Support for farmers during transition to new funding schemes;
- The importance of ponies for conservation grazing is recognised in future management and funding;
- Deliver the Moorland Vision

Priority actions to deliver:

- Maintain communication with the farming community and support the transition to new CAP funding due to start in 2015, through the Hill Farm Project;
- Farming Futures - apply the lessons being learnt from the pilot schemes to the new environmental land management schemes being developed as part of the CAP reform programme;
- Develop a grant scheme to help integrate heritage features with the needs of modern hill farming by adapting and restoring stone walls\*;
- Implement repairs to a number of pounds and drift ways to ensure their conservation and continued use\*;
- Develop a sustainable programme of farmer-led walks which allow the public to visit farms that are usually private\*;

## How we will measure progress

1. Area and % of the National Park (usable agricultural area) under agri-environment schemes
2. Number of Farmer led walks and number attending
3. Number of farmers receiving and successfully completing training relating to agriculture and/or forestry

## Priority: Be an excellent Organisation

Outcomes we seek:

- A skilled and motivated workforce
- An efficient and effective organisation which is financially robust
- High customer satisfaction
- Good management of DNPA land and premises
- A commercial awareness and increased income
- Reduction in carbon emissions

Priority actions to deliver:

- Undertake work to maximise income, specifically:
  - Develop a retail strategy which utilises the branding of the National Park
  - Consider options for implementation of car park charges on land owned by the Authority following the implementation of charges at Princetown in August 2013
  - Consider potential for charging for pre application planning advice;
- Offer development opportunities through volunteering and apprenticeships;
- Continue with works to reduce carbon emissions and improve energy efficiency;
- Review our HR strategy with a particular focus on workforce planning;
- Further roll-out (phase 2) of competency framework to support staff development and performance management;
- Facilitate Delivery Board and steering groups to maintain momentum on delivering the actions in the Dartmoor National Park Management Plan, and monitor outcomes;
- Appoint project staff and act as lead body for the *Moor than meets the eye* Landscape Partnership scheme (subject to approval of Stage 2 application)\*;
- Develop a focused retail strategy which places the National Park Visitor Centres on a clear business footing through maximising income;
- Promote the work of the Authority and seek opportunities for sponsorship

## How we will measure progress

1. % of income derived from sources other than NPG
2. Number of volunteer days
3. % reduction in carbon emissions
4. Number of working days lost due to sickness absence per Full Time Equivalent (FTE)
5. Number of training days provided for staff and Members
6. Customer satisfaction from survey results, complaints and FOI requests
7. Progress on energy efficiency measures
8. Progress reports on *Moor than meets the eye* and Management Plan implementation

## ENJOY

### **Priority: Promote a positive experience of Dartmoor National Park for Residents and Visitors**

Supports Management Plan priority of:

*Enjoying Dartmoor* – helping people to enjoy and learn about Dartmoor, with a particular focus on managing access and visitor pressure at heavily used sites

Outcomes we seek:

- Improved communication and engagement with local resident communities and businesses to share and discuss the opportunities for enjoying the National Park and discuss issues relating to visitor management
- Well maintained visitor infrastructure which promotes access for all sectors of society
- A network of local 'ambassadors' who will help identify and promote key messages on the ground\*
- National Park Visitor Centres as destination hubs with a focus on particular themes. The centres are more family orientated with increased use by residents as well as visitors
- Decrease in anti-social behaviour at heavily used sites
- Increased engagement with and take up of opportunities on Dartmoor by younger people and families

Priority actions to deliver:

- Improved interpretation, information & activities within the Visitor Centres, with a particular focus on Princetown in 2014/15; the aim being to increase visitor numbers and opportunities, particularly for younger people and families;
- Develop a costed interpretation plan and delivery programme for the *Dartmoor Story* theme and aim to increase breadth and depth of audience reach;
- Establish a Community Safety Accreditation Scheme with Devon and Cornwall Police to create closer working links and improve joint response at times of emergency;
- Work in partnership with Devon County Council and other key stakeholders to implement the programme of cycling works for Dartmoor approved through the Department for Transport *Linking Communities* funds, specifically development of family friendly routes, supported by cycling "hubs" ;
- Deliver the Service Level Agreement with Devon County Council for Public Rights of Way (PROW) maintenance and improvement, working closely with community groups and volunteers;
- Maintain the emphasis on the public campaigns to reduce litter (*Love where you visit*) and control of dogs (PAWS). An evaluation of the PAWS campaign will be completed during the year.
- Focus direct Education provision on local schools;
- Continue with a programme of events and activities for Ranger Ralph club members, working in partnership with other bodies where appropriate; and aim to increase membership of the club;
- Promote a programme of public events to celebrate the Festival of Archaeology fortnight (Believer Day), Heritage Open Days, National Parks week and opportunities for conservation themed walks and work days;
- Promote the forthcoming Whitehorse Hill Exhibition with themed walks, talks and 'hands on' opportunities;



- Develop an interactive heritage expedition map to help people understand and plan interesting walks based upon the archaeology and ecology of Dartmoor\*

### How we will measure progress

1. Visitor numbers to National Park Visitor Centres and age profile
2. Numbers, satisfaction and increased understanding from people attending Visitor Centres, events, talks etc.
3. Achievement of Community Safety Accreditation Scheme
4. Progress on implementing cycling routes and hubs
5. % of total length of footpaths and other rights of way, that are easy to use by members of the public
6. Amount of litter collected and £ spent (trends)
7. Ranger Ralph membership

## PROSPER

### Priority: Work towards ensuring Dartmoor has a thriving local economy

Supports Management Plan priority of:

*Prosperous Dartmoor* – to support a diverse, resilient economy that contributes to the special qualities of the National Park

Outcomes we seek:

- Businesses understand and use National Park purposes and policies in a positive way to support appropriate business opportunities and address perceived barriers
- Improved infrastructure across Dartmoor to support businesses
- Opportunities are created for employment and training which support National Park purposes
- Increased contribution to the local economy from visitors to the National Park

Priority actions to deliver:

- Superfast Broadband – support implementation of the Connecting Devon and Somerset programme on Dartmoor and (subject to funding) implement the Dartmoor Rural Community Broadband Scheme;
- Work with Dartmoor Partnership to promote Dartmoor as a destination for sustainable tourism, with the aim of extending stays and increasing spend in the local community;
- Following adoption of Affordable Housing SPD, facilitation and implementation of new housing schemes, working with the rural housing enabler where appropriate;
- Provide a high quality and responsive planning service which promotes development which is *Good for Dartmoor*; in particular, providing timely advice, avoiding appeals, and approving quality developments;
- Master Planning/Design briefs – adopt plans which help fulfil community aspirations and facilitate housing development;
- Appoint an Outreach and Marketing Apprentice (subject to external funding)

## How we will measure progress

1. Planning statistics - speed of delivery, % of upheld appeals, number of pre app advice given, number of design review panels held,% of approvals given
2. STEAM (tourism) data on visitor numbers and spend
3. Securing funding for Broadband and Coverage achieved
4. Number of affordable housing units delivered
5. Apprentice appointment and focus of work

## Priority: Improve support to and engagement with local communities

Supports Management Plan priorities of:

*Community focus* – supporting and empowering local communities to meet identified needs

Outcomes we seek:

- communities are able to identify local goals and development opportunities through community-led planning
- local residents understand the role of the Authority and the work which we do
- the Authority engages with communities to conserve and understand the special qualities of Dartmoor
- Increased take up of volunteering opportunities

Priority actions to deliver:

- Improved communications and profile for the Authority with a particular focus on local media, e-communications and social media;
- Enhancements to the website to improve ease of use and relevance for local communities;
- Continue to improve the range of volunteering opportunities offered by the Authority and support local conservation volunteer groups;
- Strengthen community engagement with the historic environment and conservation through the annual Local History meeting, the cuckoos project (see action in *Sustain*), Rangers and attendance at local shows and events ;
- Parishscapes - Work with local communities to record, share and conserve sites of local heritage interest\*;
- Progress Buckfastleigh Neighbourhood Plan proposals, and facilitate other neighbourhood plan designations as communities come forward;
- Support local communities and individuals to help implement the priorities in the National Park Management Plan.

## How we will measure progress

1. Number of press releases issued and targeted activity with specific publications (with a focus on local media)
2. Number of Twitter followers and subscribers to e-communications
3. Website statistics
4. Local shows attended and outcomes
5. Grant funding reporting and outcomes

## Funding and expenditure

Information on sources of funding and distribution of expenditure to be inserted when budget approved.

## DARTMOOR NATIONAL PARK AUTHORITY

10 January 2014

**AFFORDABLE HOUSING SUPPLEMENTARY PLANNING DOCUMENT (SPD)  
DRAFT FOR CONSULTATION**Report of the Forward Planner

Recommendation : **That Members approve the draft Affordable Housing SPD for public consultation**

**1 Introduction**

- 1.1 An Affordable Housing Supplementary Planning Document (SPD) has been prepared to consultation draft stage. This SPD responds to a need, identified during the preparation and examination of the Development Management DPD (The DMD), to provide further detail and support the implementation of the housing policies set out in the local plan.
- 1.2 The National Planning Policy Framework (NPPF) paragraph 153 states “supplementary planning document should be used where they can help applicants make successful applications or aid infrastructure delivery...”. This SPD has the principal aim of facilitating the delivery of affordable housing in the Dartmoor National Park in line with the local plan and national policy.
- 1.3 The SPD is supported by a Sustainability Appraisal and has undergone Habitat Regulations Assessment screening and Equality Impact Assessment screening. An SPD does not undergo independent examination. The document will be subject to a formal period of consultation consistent with the Statement of Community Involvement before it is adopted.

**2 Preparation of the SPD**

- 2.1 Preparation of the SPD started in January 2013, including research, discussions with specific stakeholders and with the Joint Advisory Committee (JAC) on housing, and the Planning and Sustainable Development Working Panel. An issues paper was prepared and 30 stakeholders with a range of interests attended a focus group held in May 2013.
- 2.2 Initial drafts of the SPD have been discussed again at the JAC and Planning and Sustainable Development Working Panel meetings. A piece of research was commissioned in order to provide robust evidence around the use of commuted sums for affordable housing; a report undertaken by Three Dragons was finalised in December.

### 3 Key messages

3.1 The SPD is structured to follow the development process under 6 headings, summarised below:

#### (1) Defining and identifying local housing need

This section sets out the way in which housing need can be identified, through formal housing needs assessment and other information provided through the housing register. Drawing from the local plan, it sets out more detailed definitions and examples of the criteria for an 'eligible household', namely:

- a household in housing need;
- a household unable to afford market prices, and;
- a 'local' household.

This additional detail should enable a better understanding of who would qualify for affordable housing in the National Park, as well as giving clearer guidance for the allocation of affordable housing.

#### (2) Considering potential sites

This section describes the types of sites which may be appropriate for housing, but makes clear the range of policies in the local plan will be relevant. It describes a typical affordable housing plot value of £5,000-£10,000, which is an important aspect in establishing landowner expectations and supporting viability.

#### (3) Delivering different types of housing

This part includes a description of the range of approaches to delivering housing in the National Park including development by registered providers (housing associations), privately built 'intermediate and self-build housing, discount market housing and development through community groups. Table 1 (page 10) sets out a more flexible approach to privately built affordable housing where we have typically sought an 80m<sup>2</sup> floorspace restriction. The SPD proposes larger 'family sized' housing may be appropriate but notes a greater discount rate may be required in order to ensure the property is genuinely affordable to those in housing need.

#### (4) Viability and legal agreements

This section sets out a number of important elements which add detail to the policies in the local plan, including:

Viability assessment – the SPD requires that any applications not meeting the policy for affordable housing must be supported by a viability appraisal, undertaken by a suitable professional. Where necessary we will seek verification of this through an independent appraisal undertaken at the applicant's expense.

Cross subsidy on exception sites – recognising that there may be cases in which an exception site scheme will not be viable at 100% affordable housing, paragraph 4.6 sets clear criteria against which we may consider cross subsidy, important aspects are:

- the land is brought forward at a value which reflects a value for affordable housing only;
- the scheme can be shown not to be viable at 100% affordable housing
- there is community support for cross subsidy;
- cross subsidy is at the minimal level necessary to bring the scheme forward, and not more than 25% market housing;
- any 'market' element should aim to meet other identified local needs (e.g. older peoples housing).

Commuted sum contributions – whilst we would expect the majority of development to meet its affordable housing obligations on-site, there may be situations where a commuted sum for affordable housing elsewhere may be acceptable. Paragraph 4.7 sets out the circumstances in which a commuted sum in lieu of on-site provision may be considered, namely:

- Conversion or change of use of a building, acceptable in principle for a residential use, but where its conversion to an affordable unit may not be feasible
- a new build dwelling in a Local Centre, where acceptable in principle for housing, but where a development for affordable housing in this location would be inappropriate.

Appendix 1 sets out indicative sums which may be appropriate in lieu of on-site affordable housing. Consistent with the NPPF these are on the basis of costs equivalent to provision on site.

Cascades in legal agreements – in order to allow for cases where a qualifying person cannot be found within a reasonable period of time the section 106 legal agreement attached to affordable housing allow for a cascade to wider area, in order to support mortgageability, and to ensure that the property is not left empty. Template cascades are set out in order to establish principles and ensure a transparent and consistent approach in the drafting of legal agreements.

#### **(5) Delivery and enforcement**

This section sets how we will support the delivery of affordable housing and monitor and enforce against occupancy conditions.

#### **(6) Monitoring and review**

This section states that the Authority will consider a formal review of the SPD in 5 years unless monitoring indicates that an earlier review is necessary.

- 3.2 The SPD includes 3 appendices on indicative commuted sums and value areas; a form setting out the requirements for viability appraisals; and a form to enable the assessment of a household as qualifying for affordable housing.

## **4 Consultation**

- 4.1 The Consultation Draft of the SPD will be published on 17 January 2014 for a 6 week consultation period ending Friday 28 February 2014. The approach to consultation will be consistent with the Authority's Statement of Community Involvement (Part 1 [I]), which states that the draft will be made available for public

inspection, and that consultation may be target to those with a specific interest and relevant general consultation bodies.

- 4.2 It is vitally important that Parish/Town Councils are aware of this document. Once adopted it will be an important guide to securing appropriate affordable housing in their community. Parish/Town Councils will be sent a letter highlighting the key elements of the SPD and encouraging them to consider its content and respond to the consultation.
- 4.3 Upon completion of the consultation officers will consider comments and make amendments to the draft SPD as necessary. A report will then be brought to the Authority, potentially in April 2014, setting out the responses and amendments and recommending the adoption of the SPD.

## **5 Conclusion**

- 5.1 The Affordable Housing SPD will play an important role in the delivery of the local plan. Whilst wholly consistent with the overarching plan it provides guidance in a number of areas where this is necessary, setting clear parameters around the flexibility the Authority may show in order to support the delivery of affordable housing in the National Park. The SPD would be a material consideration when dealing with planning applications and would have weight in the event of a refusal and subsequent appeal.

## **6 Equality and sustainability impact**

- 6.1 The Affordable Housing SPD sits within the framework of the policies of the local plan. It adds detail or interpretation to these policies but cannot alter them. The local plan (the Adopted Core Strategy and Adopted Development Management and Delivery DPD) has undergone Sustainability Appraisal/Strategic Environmental Assessment (SA/SEA) and public examination. A SA/SEA screening statement has been undertaken which concludes that the SPD will not have significant environment effects. This statement will be the subject of public consultation alongside the SPD and will be revised as necessary prior to the adoption of the SPD.
- 6.2 Habitat Regulations Assessment (Appropriate Assessment) is a process which ensures that plans, programmes or projects will not have an unacceptable impact upon the integrity of European sites (on Dartmoor the Special Areas of Conservation). A Habitat Regulations Assessment screening has been undertaken and concluded that detailed Appropriate Assessment of the Affordable Housing SPD is not required. This will be published alongside the SPD and available for comment.
- 6.3 As described above, the Affordable Housing SPD sits within the framework of the policies of the local plan. An Equality Impact Assessment has been undertaken of the Development Management and Delivery DPD. An Equality Impact Assessment has been undertaken using the Authority's proforma, which does not identify any necessary amendment or action.

## **7 Financial implications**

- 7.1 The publication of the draft for consultation will entail minor advertising and printing costs anticipated in the 2013/14 budget. The implementation of the SPD has no financial implications for the Authority.

DAN JANOTA



**Dartmoor National Park Authority**

**Affordable Housing in Dartmoor National Park**

**Draft Supplementary Planning Document (SPD)**

**Consultation Draft  
January 2014**



## About this document

This document is the Draft Affordable Housing Supplementary Planning Document (SPD). It is published for a period of 6 weeks consultation from the 17 January 2014.

This document aims to make clear the Authority's expectations and provide guidance to support the delivery of affordable housing in the National Park. It will be a material consideration when dealing with planning applications and will have weight in the event of a refusal and subsequent appeal.

The SPD is split into 6 topics areas; these aim to address the process of developing affordable housing, from identifying need through to viability and legal agreements.

We would welcome comments on the document, which is published for a 6 week period of public consultation. Please be clear to what section your comments relate. If you think the document should be changed please be clear what change you are seeking, and refer to any evidence available to support that change.

Comments should be received by **4.30pm Friday 28 February 2014**; they should be sent to:

Forward Planning and Community  
Dartmoor National Park Authority  
Parke  
Bovey Tracey  
Devon  
TQ13 9JQ

Or by email to [forwardplanning@dartmoor.gov.uk](mailto:forwardplanning@dartmoor.gov.uk)

The SPD is accompanied by a Sustainability Appraisal/Strategic Environment Assessment, on which the Authority would also welcome any comments.

An SPD does not undergo a process of independent examination; the Authority will consider the comments received, amending the document as necessary before it is adopted. Any significant amendments to the draft may require an additional period of consultation to provide opportunity for further comment.

**INTRODUCTION ..... 4**

**1. DEFINING AND IDENTIFYING LOCAL HOUSING NEED ..... 5**

**2. CONSIDERING POTENTIAL SITES ..... 8**

**3. DELIVERING DIFFERENT TYPES OF HOUSING ..... 9**

**4. VIABILITY AND LEGAL AGREEMENTS ..... 12**

**5. DELIVERY AND ENFORCEMENT ..... 17**

**6. MONITORING AND REVIEW OF THIS DOCUMENT ..... 18**

**APPENDIX 1 – COMMUTED SUMS AND VALUE AREAS IN DARTMOOR NATIONAL  
PARK ..... 19**

**APPENDIX 2 – REQUIREMENTS FOR VIABILITY APPRAISAL ..... 21**

**APPENDIX 3 – QUALIFYING PERSON INFORMATION ..... 24**

## INTRODUCTION

Dartmoor National Park Authority (the Authority) has a Core Strategy adopted in April 2008 and a Development Management and Delivery DPD (the DMD) adopted in July 2013; these documents, together with the Minerals Local Plan, comprise the 'local plan' for Dartmoor National Park, also referred to as the 'Development Plan'.

As a Protected Landscape the primary focus for Dartmoor is the statutory purposes of National Park designation; *"to conserve and enhance the natural beauty, wildlife and cultural heritage (of National Parks); and to promote opportunities for the understanding and enjoyment of the special qualities (of the National Park) by the public"*. There is also a statutory duty to *"seek to foster the economic and social well being of local communities by working closely with the agencies and local authorities responsible for these matters"*. In this respect there is a fundamental difference between Dartmoor National Park Authority and the other local planning authorities operating in Devon, where we have a strong focus on providing for local needs rather than providing for market housing generally.

The Core Strategy set a robust focus on affordable housing with a housing strategy based upon the provision of affordable housing to meet identified local needs. It sets a settlement strategy, focussing development in 8 'Local Centres'<sup>1</sup>, with development for local needs in 34 'Rural Settlements'. The DMD sits below the Core Strategy, its policies adding detail where required, in order to aid decision making and provide greater clarity.

Through the preparation of the DMD officers and Members of the Authority became increasingly aware of the need to support the delivery of affordable housing through the peaks and troughs of the market, and a changing environment in relation to public funding. At the submission of the DMD Members agreed an SPD on Affordable Housing was required in order to show how the housing policies would be implemented. Specific reference has been made to this document in the Inspector's Report into the Examination of the DMD<sup>2</sup>. Such a document would make clear the Authority's expectations and provide guidance to support the delivery of affordable housing in the National Park. It would be a material consideration when dealing with planning applications and would have weight in the event of a refusal and subsequent appeal decision.

This SPD will have the principal aim of facilitating the delivery of affordable housing in the Dartmoor National Park in line with the development plan and national policy. It is important to recognise that this document offers additional guidance to the adopted policies of the development plan. The development plan must be taken as a whole and any relevant policies taken into account when considering the guidance set out in this SPD.

### Links with District/Borough Housing Strategies

Dartmoor National Park Authority is the Local Planning Authority for the National Park, but not the Housing Authority. This SPD therefore has an important link with the Housing Strategies for Teignbridge, West Devon, South Hams, and a small part of Mid Devon, which cover the National Park area.

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<sup>1</sup> These are identified in the Core Strategy as Ashburton, Buckfastleigh, Chagford, Horrabridge, Moretonhampstead, Princetown, South Brent and Yelverton.

<sup>2</sup> Inspector's Report into the Examination of the Development Management and Delivery DPD May 2013.

## 1. DEFINING AND IDENTIFYING LOCAL HOUSING NEED

### How do we identify housing need?

- 1.1.** The National Park Authority works with the Housing Authority (District/Borough Council) and the Rural Housing Enabler (RHE) at the Community Council of Devon to identify housing need at a Parish/Community level. The Housing Needs Assessment (HNA) undertaken by the Rural Housing Enabler is informed by a survey of all households within the Parish. Returns are then assessed based upon eligibility (e.g. against local criteria), housing need, and their ability to afford local prices, in order to establish whether they would be a 'qualifying person' for the purposes of affordable housing for local needs on Dartmoor. Justification for a development based upon housing needs extending beyond the Parish will only be appropriate where the scheme is agreed with those communities as jointly meeting housing needs on a single site.
- 1.2.** The assessments are being constantly refined, and recently have linked more closely with evidence from the Housing Register (currently Devon Home Choice) and South West Homes to ensure that those already registered are captured as having a need. The Authority supports the increased use of information from the Housing Register, albeit this information cannot currently act as a substitute for an independent HNA as it does not currently provide robust or detailed information regarding a 'qualifying person' sufficient to support a planning application. Whilst HNAs are more accurate they do have a limited shelf-life, typically 3-5 years, as they represent a snapshot in time. Information from the Housing Register is 'live' data, but is currently not sufficiently detailed.
- 1.3.** The HNA, normally driven by a Housing Authority and Parish Council to identify need and bring a scheme forward, are currently undertaken at a very early stage in the process. Working with the Authority and the RHE these bodies also play a role in raising the awareness of affordable housing, and drawing out potential sites or issues within the community.
- 1.4.** The Authority recognises the time it can sometimes take to bring forward a scheme, which has in the past meant that two surveys or a 'refresh' of an initial survey has been needed. Given this the Authority will take a flexible approach to the initial identification of housing needs. This would include supporting lighter touch surveys at the beginning of the process in order to establish a principle of need, with a full HNA then being undertaken prior to a planning application, in order to inform the scale and nature of need in more detail. The Authority may also consider information from the Housing Register as sufficient evidence of need to initiate work in a community, but it is currently not adequately detailed or up to date to support a planning application on its own.

## What is an 'eligible household'?

- 1.5.** An eligible household is one where there is a clear need for accommodation, an inability to afford local accommodation at current open market prices, and conformity with relevant local occupancy criteria, as set out in the Local Plan.

### **I. A household in housing need**

This is a household which has been assessed and placed on the Housing Register in Bands A-D

- (Emergency Housing Need (A));
- High Housing Need (B);
- Medium Housing Need (C);
- Low Housing Need (D).

Further detail on the criteria for these categories is set out in Appendix 1.

The Authority may also consider those meeting the following elements of Band E to be in housing need:

- Any household where the household income is insufficient to enable them to afford or to sustain to rent or to purchase a property suitable to their needs in the parish

### **II. A household unable to afford open market prices**

The Authority will consider typical measures of affordability used in Housing Market Assessments, linking incomes with lower quartile house prices in the area. This includes the benchmark<sup>3</sup> that no more than 25% of gross household income is spent on housing costs, with a typical measure of a mortgage which is 3.5 times gross household income being achievable.

### **III. A 'local' household**

This is defined in the local plan<sup>4</sup> as:

- (i) those people currently living in the parish of provision, or a rural parish adjacent to the parish of provision, and having done so for a period of at least five years; or
- (ii) those people who have lived in the parish of provision or a rural parish adjacent to the parish of provision for a period of five years but have moved away in the past three years; or
- (iii) those people who have a strong local connection with the parish of provision or a rural parish adjacent to the parish of provision by virtue of, for example, upbringing or current employment.

The eligible adjacent rural parishes will be specified in the planning obligation (under Section 106 of the Town and Country Planning Act 1990) according to the individual location of the development.

- Adjacent parishes containing a Local Centre will not normally be considered to be an adjacent rural parish to the parish of provision
- Parishes lying substantially outside the National Park containing a town or other large community will not normally be considered to be an adjacent rural parish to the parish of provision.

<sup>3</sup> Strategic Housing Market Assessment – Practice Guidance (DCLG 2007)

<sup>4</sup> Development Management and Delivery DPD paragraphs 2.19.12 - 2.19.14

- 1.6.** The Authority has not defined what is meant by a ‘strong local connection’, as this enables a degree of flexibility. It is however recognised that it is helpful to have a measure of the strength of connection the Authority would expect; some examples of a strong local connection are as follows:
- A person with a family member (for example a parent, parent-in-law, son, daughter, step-son, step-daughter, child of partner, brother, sister, grandparent, grandchild, uncle, aunt, nephew, niece) who is living in the parish and has done so for a continuous period of at least 5 years.
  - A person whose upbringing or a significant part of their upbringing took place in a relevant parish.
  - A person who is employed (for not less than 16 hours per week) in the parish of provision or whose work is primarily carried out within the parish, having done so for a continuous period of at least 2 years.
  - A person who has spent a significant length of time (normally more than 5 years) living in the parish in the past.
- 1.7.** We will offer advice in the drafting of Allocations Plans or Local Lettings Plans. This can allow the local community an opportunity to identify local priorities in the allocation of properties, and provide a clearer process for identifying a qualifying person. In all cases Allocations Plans and Local Lettings Plans must be consistent with the criteria in the local plan and the overarching Section 106 agreement.

## 2. CONSIDERING POTENTIAL SITES

### What sites may be appropriate for affordable housing?

- 2.1. The Authority's Core Strategy and Development Management DPD (together the 'local plan') set out a range of policies against which the merits of a site, its location, layout, design etc may be considered. The Authority's Design Guide SPD also provides additional advice on good design in the National Park. The local plan sets out advice on how we will consider and show flexibility in the assessment of site layout, scheme mix (e.g. tenure, property size) in order to promote sustainable development and enable viable schemes to come forward.
- 2.2. The local plan identifies a number of housing sites in the 8 Local Centres in the National Park. It does not identify potential sites for affordable housing in the Rural Settlements on Dartmoor or in Local Centres where there is no current identified need, but will consider potential sites identified within the settlement or alternatively 'exception sites' on the edge of settlements where that is necessary to meet identified needs of these smaller communities. The local plan recognises that the meeting of needs in another community within or adjacent to the parish may be appropriate where there is environmental constraint in some settlements. Whilst the priority should always be to locate affordable housing where there is the local need, in limited circumstances, we may also consider meeting of needs in another community within or adjacent to the parish where this supports the viability of a scheme to the benefit of the communities involved.

### How are sites assessed?

- 2.3. The local plan identifies settlement boundaries in Local Centres, which makes the identification of exception site as 'adjoining' the boundary easier. Settlement boundaries are not identified in Rural Settlements due to the dispersed and varied character of these smaller settlements. Policy DMD22 (residential development in Rural Settlements) describes exception sites as "suitable land within or adjoining the settlement and well related to its existing built form". In these cases we will consider on a case by case basis the merits of a site, its suitability in respect of the policies of the local plan and the availability of other suitable land in the settlement.
- 2.4. In all cases the value of the land should reflect the fact that it would only be available for affordable housing. Typically this would lead to a land value of £5,000-£10,000 per affordable housing plot. Where we have agreed that an element of cross subsidy (i.e. some limited open market housing – see section 4) may be appropriate to support the viability of the scheme which would otherwise be only for affordable housing, the land value of all plots must still reflect that for affordable housing only.

### 3. DELIVERING DIFFERENT TYPES OF HOUSING

#### Delivering different types of housing in the National Park

- 3.1. Housing in the National Park is delivered by a range of different mechanisms, some of which are explored in more detail below. The local plan has a strong focus on delivering affordable housing in communities where a local need is identified. It is important to recognise, though, that there is a demand for other types of housing in the National Park ranging from rural workers dwellings, families or single people looking for private rental or to buy, older people seeking to downsize and an increasing interest in self-build. We would encourage those developing housing schemes to recognise this wider need and consider how a development as a whole, and in particular the open market element, might aim to meet some of the demand for these other types of housing in the local community.
- 3.2. Where specific other needs are identified in a community, for example older persons housing, we will encourage developers to include an element of different house types which might meet this need. In certain circumstances we may consider these other needs as part of the cross-subsidy element of an exception site development. Where this is the case we may seek additional measures as appropriate, such as a local occupancy condition, in order to ensure that these properties are made available for local people in perpetuity.

#### Housing with Registered Providers ('Housing Associations')

- 3.3. The usual approach for larger housing schemes is development by or with a Registered Provider (generally a 'housing association'); this has historically provided the greatest number of new affordable homes in the National Park. These homes would normally be at affordable rent level, or a shared ownership/equity property. Development may be undertaken by a Registered Provider, or in some cases it may be built by a developer and transferred to a Registered Provider on completion.
- 3.4. Where development by a Registered Provider includes properties for shared ownership the lessee would normally acquire up to 80% of the equity of the property. Where the lessee acquires more than 80% and then wishes to dispose of the property it should be sold back to the Registered Provider. What is important is that the property remains available as an affordable house for local people in the long term and not just for the duration of the first occupier. Where a lessee is struggling to sell their share of the property (for example, because they have acquired a large share), we will look to the Registered Provider to buy back all or a proportion of the equity.

#### Privately built (intermediate) and 'self build' housing

- 3.5. Intermediate housing is 'more affordable' housing and aims to meet a need between affordable rent and the market where the household is not able to afford market prices. This model requires that occupants meet the same 'qualifying person' criteria, but instead of the property specification and rent level being set by a Registered Provider, a Section 106 legal agreement restricts the rent or sale price of the property each time it is re-let or sold.



**3.6.** Historically the Authority has limited the size of new dwellings to 80m<sup>2</sup> to sustain their affordability. It is recognised that in some cases this floorspace limit may prove inflexible in respect of conversions or the desire to provide larger family housing. A key principle is that properties built via this route must be of a sale or rental value which is within the reach of a qualifying person; the Authority will be flexible on property size subject to an appropriate discount rate as necessary. Size and specification are important –high quality design is essential in the National Park, so a careful balance must be struck between good quality development and one that could be valued such as to be unaffordable to the people who are actually in housing need.

**3.7.** When considering proposals for privately built affordable housing, the most important aspect is its affordability; in assessing proposals we will therefore consider:

- The size of the property. Indicative unit size for a range of property size, together with potential discount rates are as follows:

Unit Type	Indicative Unit Size (m <sup>2</sup> )	Potential discount rate (% of market)
1 Bed (2 Person) Flat	48	80%
2 Bed (4 Person) House	62	80%
3 Bed (5 Person) House	85	70-80%
4 Bed (6 Person) House	95	60-70%

**Table 1.** Indicative property sizes and discount rate

Properties which exceed the above guidelines may not be of a sale value such as to be affordable for a qualifying person. Properties will be permitted only subject to a level of discount necessary to ensure their affordability.

- Garages will not normally be acceptable, a modest car port may be.
- The property should have a modest amount of garden space. Large gardens or associated land and buildings would not be acceptable.
- The finish of the property must be carefully considered. Whilst the Authority will seek a high standard of design and build including aspects of sustainable design, a high internal specification is not appropriate for this type of housing, and could make the property unaffordable for a qualifying person. Intermediate homes would be expected to meet the same *Code for Sustainable Homes* standard as those built by Registered Providers.
- Permitted Development Rights will be removed in order for the Authority to control extensions to the property (including loft conversions), preventing them from becoming less affordable.

It is crucial that the price paid for the land reflects the above factors, or development may not be viable.

In all cases the sale price or rental level should be discounted by not less than 20% from its open market level, having already taken into account the occupancy condition attached to the property (which typically is a discount of round 15%). We will require via legal agreement that upon the sale or resale of a property valuations are undertaken by the District Valuation Office at the owner's expense.

- 3.8.** Where the conversion of a building to a dwelling would be acceptable in respect of policy, but conversion to an affordable dwelling may not be appropriate, we may consider the possibility of permitting an open market dwelling, and seeking the affordable housing contribution via a commuted sum (see 4.8 below).
- 3.9.** The guidance on property size above will also be a helpful benchmark for proposals for agricultural workers dwellings in the National Park. Whilst we may consider proposals which include a modest amount of additional floor space for office or utility/boot room, the focus should remain on providing a dwelling which is affordable for an agricultural worker or and future occupancy as an affordable dwelling.

### **Discount Market or 'low cost' Housing**

- 3.10.** The NPPF makes clear that low cost discount market housing does not meet the definition of affordable housing. It cannot therefore constitute the affordable housing obligation of a development. Discount market housing could however have a role in the National Park, and may make up a portion of the overall provision in mixed affordable and market schemes.
- 3.11.** Discount market housing may be appropriate in areas of higher house prices; in particular certain communities find that some local people may not qualify for affordable housing, but cannot actually afford to buy a house locally on the open market. These people may not qualify for affordable housing as they technically earn enough to afford a house, however the reality may be that they can only afford the house they might need elsewhere, and not in their own community. For this reason discount market housing would only be appropriate where it is secured for occupancy only by local people via S106 legal agreement. Where discounts are on first occupancy only they should be for a period of not less than 5 years.

### **Community Land Trusts, Neighbourhood Plans and the Community Right to Build**

- 3.12.** Increasingly, communities are taking the opportunity to lead or guide development in their area. Separate advice is available at a national and local level on these different potential routes, such as Neighbourhood Planning, the Community Right to Build and the role of Community Land Trusts and Community Interest Companies. We will continue to support Dartmoor communities wishing to explore these different options. Community Land Trusts have the advantage of being rooted in the community and can perhaps therefore be well placed to ensure the affordable unit benefits the local community in the longer term.
- 3.13.** These tools provide alternative routes for bringing forward affordable housing in a community. Whilst the policies of the local plan remain, community level planning can enable local people to have a greater influence over where and how housing may be built (see also paragraph 1.7) as well as how they are occupied. A strong community stake in housing development will normally mean applications are then more positively received. Importantly, these are tools for positive planning, and not intended as an opportunity to prevent development from coming forward.

## 4. VIABILITY AND LEGAL AGREEMENTS

### Why is viability important?

- 4.1. We recognise that viability is a key issue in the delivery of affordable housing. We will continue to work flexibly with the Housing Authorities, communities and housing providers to bring forward schemes where there is an identified need for affordable housing.
- 4.2. In the current funding regime some schemes are unable to meet the current policy expectations for affordable housing of 50% affordable housing in Local Centres, and 100% affordable housing in Rural Settlements. Planning officers are increasingly involved in appraising the viability of schemes and negotiating a viable contribution to affordable housing. In many cases we require specialist support in order to assess viability appraisals.

### How do we assess viability?

- 4.3. Any planning application submitted to the Authority which is not delivering the level of affordable housing required by policy must be supported by a detailed viability appraisal carried out by a suitable professional<sup>5</sup>. We will consider the suitability of the viability appraisal submitted, and may undertake a simple viability appraisal based, where appropriate, upon the figures provided by the applicant in order to consider the robustness of the submitted appraisal. Where necessary we will seek verification of the applicant's viability appraisal; this independent viability appraisal will be carried out at the applicant's expense by a suitable professional instructed by the Authority.

### When may the Authority accept cross-subsidy on exception site schemes?

- 4.4. Exception sites are an important route for the delivery of affordable housing in the National Park, particularly in respect of the Rural Settlements; development on exception sites should come forward for 100% affordable housing.
- 4.5. We do, however, recognise that the level of public subsidy currently available is below that which has historically enabled a good level of development on exception sites at 100% affordable housing. Currently the viability of some exception sites, particularly those with limited subsidy may be marginal. In cases such as this we may consider allowing an element of cross-subsidy on exception sites in order to bring forward affordable housing.
- 4.6. We will only consider cross-subsidy on exception sites where:

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<sup>5</sup> Such requirements may be set out formally in the Authority's Validation Checklist, or a Planning Performance Agreement.

- (i) The land for development is brought forward at a level which reflects a value for affordable housing only; and,
- (ii) the scheme can be shown not to be viable at 100% affordable housing; and,
- (iii) the Parish/Town Council supports the principle of an element of cross-subsidy on the site in order to bring affordable housing forward; and,
- (iv) the level of cross subsidy proposed is the minimum level necessary to bring the affordable housing forward and does not exceed 25% open market housing on the site.

In all cases we will expect that the cross-subsidy element of the scheme will be meeting another local housing need or requirement in the community (for example discount market, older people seeking to downsize, or open market self build). Wherever viable we will seek a local occupancy condition on these properties.

## **When may the Authority accept commuted sum contributions?**

**4.7.** In the majority of development we would expect affordable housing to be provided on site. In a very limited number of cases we may consider a 'commuted sum' contribution i.e. a financial contribution towards affordable housing elsewhere rather than provision on the site. The National Planning Policy Framework (NPPF) states off-site provision or a financial contribution of broadly equivalent value should be robustly justified and contributes to the objective of creating mixed and balanced communities. We will only consider a commuted sum in lieu of on site provision of affordable housing where:

- A. The proposal is for the conversion or change of use of an existing building which the Authority considers would be acceptable for use as a dwelling in line with development plan policies, but inappropriate for use as an affordable dwelling by virtue of –
  - Its anticipated market value; or,
  - the feasibility of converting or adapting the building for the purposes of affordable housing; or,
  - the impact of the conversion or adaptation for the purposes of affordable housing upon the building (for example where it is a heritage asset); or,
  - the sustainability of its location.
- B. The proposal is for a new build dwelling(s) in a Local Centre, where the Authority considers that housing development is acceptable in line with development plan policies, but that the form or design of a unit(s) to meet affordable local needs would be inappropriate in the local context.

In all cases commuted sums will only be acceptable where the Housing Authority advises that there is reasonable prospect of a local affordable housing development to which a sum would contribute being delivered within the next 10 years.

**4.8.** In order to avoid case by case negotiations on commuted sums, we have calculated indicative rates of contribution; these are set out in Appendix 1. These sums have been calculated on the basis of equivalence; i.e. the contribution would be equivalent to the provision of an affordable dwelling on site. Applications which include a commuted sum contribution in line with these indicative sums would not be subject to further viability appraisal.

- 4.9.** The sums are set out on the basis of different 'value areas' in the National Park, these areas were identified in the Authority's Strategic Housing Viability Assessment (SHVA)<sup>6</sup> and reflect the range of land and property values across Dartmoor. They show potential contributions for a number of different house types for either a new build, or a conversion/change of use.
- 4.10.** We do recognise that no two cases are the same; applications which would fall outside of the scope of the table must therefore be supported by viability appraisal and negotiated on a case by case basis giving consideration to any relevant indicative contributions. Where necessary we will seek verification of the applicant's viability appraisal; this independent viability appraisal will be carried out at the applicant's expense by a suitable professional instructed by the Authority.
- 4.11.** We will monitor and may review this commuted sum contribution rate over the life of this SPD. Appendix 1 may therefore be revised, for example in order to reflect market changes. Any revisions will be undertaken in a transparent way before they are adopted by the Authority, they will be publicised as appropriate.
- 4.12.** Commuted sums will be held by the relevant Housing Authority. The Housing Authority will be asked to covenant in the section 106 Agreement that the commuted sum will contribute to affordable housing in the parish or adjoining rural parish. Where this proves not to be possible within the given timescale the section 106 Agreement may provide for the sum to be used to contribute to affordable housing elsewhere in the National Park.

### **How does a cascade operate in our legal agreements?**

- 4.13.** Legal Agreements (Section 106 Agreements) are a key tool in ensuring that the requirements of the Authority's housing policies are met through a development; securing affordable housing for local people in perpetuity. The requirements set out in these legal agreements must reflect the Authority's policies, and be consistent with the advice in the National Planning Policy Framework (NPPF paragraph 203-206). These agreements must strike a balance however, meeting the expectations of the community whilst not being so restrictive as to impact upon a developer or buyer's ability to get a mortgage, or leaving properties empty because a qualifying person cannot be found.
- 4.14.** Occupancy restrictions will be used in legal agreements to secure local occupancy by a qualifying person. In order to allow for cases where a qualifying person cannot be found within a reasonable period of time we will include a 'cascade' to a wider area, in order that a property is not left empty. This cascade is also an important requirement for mortgage lenders, as they would seek re-assurance that, should the property be repossessed, it could be disposed of within a reasonable period of time.

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<sup>6</sup> Dartmoor National Park Authority Strategic Housing Viability Assessment (Levvel) March 2011.  
Page 14 of 26

- 4.15.** We operate a different cascade for rental properties and intermediate or shared equity/ownership properties. The cascade would normally operate as follows:

**REGISTERED HOUSING PROVIDER**

Properties advertised through Devon Home Choice or South West Homes.

- (i) The Parish of provision or adjoining rural parish
- (ii) Where no qualifying person can be found after 8 weeks, all of the National Park

**PRIVATELY DELIVERED INTERMEDIATE SALE OR RENT**

Properties valued by the District Valuation Office and advertised at the agreed price.

- (i) The Parish of provision or adjoining rural parish only
- (ii) Where no qualifying person can be found after 13 weeks, all of the National Park

Upon the possession of the property by the mortgagee, if after the expiry of 13 weeks no offer has been received for the purchase of the Affordable Dwelling (subject to contract) at the full asking price, the requirement for the Affordable Dwelling to be occupied by a Qualifying Person shall not apply to that disposal and any person to whom the Owner shall dispose of the Affordable Dwelling shall be conclusively presumed to be a Qualifying Person and entitled to occupy that dwelling:

- (a) for the purposes of that disposal; and
- (b) for the duration of that person's ownership of the Affordable Dwelling

In all cases where a property is not occupied by a qualifying person it shall be for that instance only, and the property will revert to the top of the cascade upon its next re-let or sale. In respect of (i) we may consider that provision within a Local Centre may cascade to an adjoining Local Centre.

- 4.16.** We will apply the above approach flexibly, responding to local circumstances and the particular aims of Parish Councils or Community Land Trusts where possible. This may include using Local Lettings or Allocations Plans to add further interpretation to the above, for example reflecting a 'parish first' priority. Importantly, whilst these may aid interpretation or assign priority, they must be consistent with the overall principles set out in the local plan.

**How might we defer planning obligations or renegotiate agreements?**

- 4.17.** The Authority will be flexible in its approach to the phasing of deferral of planning obligations where this is shown to support the viability of the scheme. This may include, for example, a phasing condition and/or section 106 agreement allowing the sale of some open market units prior to the completion of the affordable housing, in order to improve the developer's cash flow.
- 4.18.** The National Planning Policy Framework (NPPF) makes clear that planning obligations should only be sought where they are:
- Necessary to make the development acceptable in planning terms
  - Directly related to the development; and
  - Fairly and reasonably related in scale and kind to the development.

We recognise the need to negotiate planning obligations in such a way as to enable appropriate development to come forward, potentially with a lower affordable housing contribution where this is robustly justified on the grounds of viability. We would, however, only accept a lesser contribution to affordable housing on this basis if it is certain that the scheme will be delivered immediately, and not held back and completed at a later time, this would be secured through a section 106 agreement. The section 106 agreement may also require the re-assessment of a scheme's viability, for example upon the commencement of each phase of a development, if the development has not been completed within the specified period of time.

- 4.19.** A section 106 agreement may be varied or amended at any time by agreement between the original signatories or their successors; a formal procedure is now in place for the application and appeal of affordable housing obligations relating to scheme viability<sup>7</sup>. We will always give careful consideration to applications to vary or amend an agreement where they set out clear evidence of changed circumstances. However, the overriding consideration will remain the delivery and retention of affordable housing for local people.

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<sup>7</sup> The Growth and Infrastructure Act inserts new Section 106BA, BB and BC into the 1990 Town and Country Planning Act making formal provision for the applications and appeal for the review of planning obligations on planning permissions which relate to affordable housing (excluding exception sites).

## 5. DELIVERY AND ENFORCEMENT

- 5.1.** Registered providers should ensure that people applying to live in new or newly available affordable housing in Dartmoor National Park will qualify to do so. This will require reference to the section106 agreement for the property in question. Where possible, we will be flexible in the application or revision of section106 agreements where properties are proving 'hard to let', in order to reduce periods where a house is empty. The focus will however always be on the current local plan policies and the definition of a qualifying person, in order to ensure local people have the best opportunity for vacancies in their community.

### **How long must vacant properties be advertised for?**

- 5.2.** The Authority has traditionally sought long advertising periods on vacant properties, in order for local people to have the best opportunity to take up vacancies in their community. Recognising however that this can create issues around mortgageability and mean longer periods where properties are left empty, we may allow shorter time periods where properties are advertised through choice based letting. The Authority will require a minimum of 4 weeks advertising through Devon home choice including 2 advertisements, and a minimum of 13 weeks for shared equity and intermediate properties.
- 5.3.** Alongside this we will work more closely with local housing authorities, Devon Home Choice, Parish/Town Councils and local groups such as Community Land Trusts, to promote the awareness of vacant properties in the National Park. Promoting the awareness of vacancies by encouraging local people to register with Devon Home Choice or South West Homes, and ensuring communities are aware of an existing stock in their area, which will give rise to vacancies, will give local people the best opportunity to acquire a property in their community.

### **How do we monitor and enforce legal agreements and occupancy conditions?**

- 5.4.** Significant resources go into the delivery of affordable housing. It is therefore important that we place an appropriate level of priority in ensuring that these properties are occupied in accordance with legal agreements. A proactive approach in the first instance is always preferred over enforcement action, and we would always encourage housing authorities, housing providers and individuals to seek our advice on whether an individual meets the qualification criteria for that property. In rented properties the onus is upon the Housing Association or Provider, to ensure new tenants will comply with the relevant occupancy conditions. A form for this purpose is set out in Appendix 3.
- 5.5.** The Authority may from time to time require information from tenants to confirm their occupancy is in accordance with the conditions set out in the section 106 agreement. This is particularly important in respect of privately built intermediate housing where the Authority will also require property valuations or seek agreement of appropriate affordable rents.



## 6. MONITORING AND REVIEW OF THIS DOCUMENT

- 6.1.** It is important the planning policy and associated advice such as an SPD is kept up to date. In order to do so the Authority should set out appropriate indicators to monitor the SPD and ensure it is performing as intended.
- 6.2.** The local plan is currently monitored through the Authority's Annual Monitoring Report (AMR), which already includes indicators to monitor the housing policies in the Core Strategy and the DMD. Following the adoption of this SPD additional indicators may be included to supplement existing monitoring.
- 6.3.** Affordable housing is currently a rapidly changing sphere of work. The Authority will consider a formal review of this SPD in 5 years unless monitoring indicates an earlier review is necessary.

## APPENDIX 1 – COMMUTED SUMS AND VALUE AREAS IN DARTMOOR NATIONAL PARK

We have calculated<sup>8</sup> that commuted sum contributions should apply at the following rates:

	Value area 1	Value area 2	Value area 3	Value area 4	Value area 5	Value area 6
Flat 1 bed	£21,000	£18,000	£14,000	£17,000	£17,000	£14,000
Flat 2 bed	£24,000	£21,000	£16,000	£21,000	£18,000	£15,000
House 2 bed	£30,000	£27,000	£27,000	£23,000	£18,000	£15,000
House 3 bed	£34,000	£35,000	£31,000	£21,000	£22,000	£17,000
House 4 bed	£64,000	£60,000	£56,000	£51,000	£40,000	£31,000

**Table 2.** Indicative commuted sum contributions (new build dwellings)

	Value area 1	Value area 2	Value area 3	Value area 4	Value area 5	Value area 6
Flat 1 bed	£19,000	£17,000	£12,000	£16,000	£15,000	£13,000
Flat 2 bed	£27,000	£25,000	£19,000	£23,000	£21,000	£17,000
House 2 bed	£34,000	£31,000	£32,000	£26,000	£20,000	£16,000
House 3 bed	£43,000	£44,000	£41,000	£31,000	£30,000	£24,000
House 4 bed	£84,000	£78,000	£72,000	£69,000	£57,000	£45,000

**Table 3.** Indicative commuted sum contributions (conversions and change of use)

<sup>8</sup> Dartmoor National Park Standard Commuted Sum Contribution (Three Dragons and Rural Housing Solutions)  
December 2013



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Ordnance Survey 100024842

**Figure 1.** Value areas in Dartmoor National Park (Dartmoor National Park Strategic Housing Viability Assessment 2011)

Value Areas (Postcode Sector)

<span style="display: inline-block; width: 15px; height: 15px; background-color: red; border: 1px solid black; margin-right: 5px;"></span>	Value Area 1	(EX6 6, EX6 7)
<span style="display: inline-block; width: 15px; height: 15px; background-color: green; border: 1px solid black; margin-right: 5px;"></span>	Value Area 2	(EX20 4, TQ13 8, TQ13 9)
<span style="display: inline-block; width: 15px; height: 15px; background-color: blue; border: 1px solid black; margin-right: 5px;"></span>	Value Area 3	(PL20 6, TQ13 7, TQ10 9)
<span style="display: inline-block; width: 15px; height: 15px; background-color: pink; border: 1px solid black; margin-right: 5px;"></span>	Value Area 4	(EX20 2, PL19 9, PL21 0)
<span style="display: inline-block; width: 15px; height: 15px; background-color: yellow; border: 1px solid black; margin-right: 5px;"></span>	Value Area 5	(PL19 0, PL20 7, PL7 5, TQ12 6)
<span style="display: inline-block; width: 15px; height: 15px; background-color: cyan; border: 1px solid black; margin-right: 5px;"></span>	Value Area 6	(PL6 7, PL21 9, TQ11 0, EX20 1)

**APPENDIX 2 – REQUIREMENTS FOR VIABILITY APPRAISAL**

## **Dartmoor National Park Authority Development Viability Assessment Information Request**

The following form sets out the basic information required by the Authority in order to assess the viability of a scheme for the provision of affordable housing. Where an application proposes a level of affordable housing which falls short of policy the Authority will require the application is supported by a viability appraisal. This appraisal, undertaken by a suitably qualified professional, would normally be expected to include the following information. Where necessary we will seek verification of the applicant’s viability appraisal; this independent viability appraisal will be carried out at the applicant’s expense by a suitable professional instructed by the Authority.

Dartmoor National Park Authority is registered under the Data Protection Act 1998. Your personal information will be held securely and will not be used for any purpose other than for the assessment of viability of the planning obligations relating to the planning application in question. Your details will not be passed on to any other organisation or used for any other purpose without your prior consent.

### **1. Scheme Information**

Applicant	
Planning Application Number	
Date this schedule completed	
Name of Scheme	
Address	
Postcode	
Scheme description	
Site size in Ha (Gross site area)	
Site size in Ha (Net developable area)	
Total residential units	
Description of any commercial and other uses	
Residual land value of commercial/other uses if known	
Date site acquired	
Existing/alternative use value £	
Has the existing alternative use value been determined by a current independent valuation? (If yes please attach a copy)	

## 2. Timetable and phasing

Please provide:

- proposed start date of construction (month and year);
- proposed completion date of construction (month and year);
- phasing information (if relevant);
- completion timetable for affordable units if known.

## 3. Residential Scheme Mix

Breakdown of units to be provided to include details of :

- property type e.g. terraced, detached;
- net internal area (m<sup>2</sup>) of each property type;
- number of bedrooms;
- number of bedspaces;
- number of storeys (if flats);
- whether units are proposed for open market sale or are to be affordable and if the latter, proposed affordable housing tenure .

Please attach architect plans of the proposed scheme (unless already provided as part of a planning application or permission)

## 4. Scheme Revenue

Please detail:

- current selling prices for each market unit by property type;
- current agreed transfer price (with Registered Provider) for any affordable units by property type and affordable housing tenure – if agreed;
- level of affordable rent to be charged (if known);
- ground rent to be charged;
- all other sources of funding such as Social Housing Grant, EU funding and the amount (£) either on a per scheme or per unit basis.

## 5. Scheme costs

Site investigation cost (£)	
Abnormal build costs Please provide full details and related costs per item	
Developer profit (as a % of GDV)	
Please detail any build costs that are external to the built form of the dwellings.	
Planning gain and infrastructure contributions – please detail on a per item basis for the scheme as a whole (e.g. Education - £)	

## APPENDIX 3 – QUALIFYING PERSON INFORMATION

### Dartmoor National Park Authority Affordable Housing Application Form for Qualifying Persons

This form can be completed by prospective occupants who wish to establish whether he/she satisfies the Affordable Housing Criteria and constitutes a “Qualifying Person” as set out in the Section 106 legal agreement restricting occupancy.

Please complete and return this questionnaire to Forward Planning, Dartmoor National Park Authority, Parke, Bovey Tracey, TQ13 9JQ, or email to [forwardplanning@dartmoor.gov.uk](mailto:forwardplanning@dartmoor.gov.uk).

#### 1.0 DETAILS OF THE QUALIFYING PERSON

1.1 Please complete your details:

Name	
Current address	
Date of Birth	
Tel No.	
Fax No.	
Email address	

1.2 Please provide details of everyone who will be living with you (please continue and attach a separate sheet in necessary):

Name			
Age			
Current address			
Relationship to you			

#### 2.0 PROPERTY DETAILS

2.1 Please provide details of the property to which this application relates:

Address	
Planning Application ref	
Owner	
Address of owner	
Telephone no. of owner.	
Email address of owner.	

**3.0 HOUSING NEED**

This section seeks to establish whether you are in housing need, through assessing whether you are in need of suitable permanent housing and unable to satisfy your accommodation needs on the open market.

3.1 Please specify the proposed sale value or monthly/weekly rent

3.2 Please provide a simple financial statement to illustrate why you are unable to afford to pay open market prices/ rents.

Reference should be made if purchasing the property to the gap between household income and the open market house price. In the case of a rental arrangement a straightforward financial assessment relating to the breakdown of income and expenditure should be detailed. In both cases reference should also be made to existing savings and any property currently owned or occupied.

3.3 Are you on the housing needs register for the Local Housing Authority?

Yes/ No (delete as appropriate)

If yes please state for which Local Housing Authority:

3.4 Please indicate your reason for moving – you can give more than one reason. (Please provide further detail if relevant to your housing circumstances), this might include one or more of the following:

- a) New household formation
- b) Inappropriately housed: present home is overcrowded, in disrepair or lacks self contained facilities (e.g. kitchen or bathroom): is inappropriate in terms of household requirements (e.g. for people with very young children or mobility problems more than one flight of stairs in existing accommodation)
- c) Relationship break up
- d) Homelessness or insecure tenancy: living in temporary accommodation, or informal accommodation coming to an end (e.g. living with friends), mortgage/rent too expensive:

Please give details:



**4.0 LOCAL CONNECTION**

This section seeks to establish your local connection to a parish wholly or partly within the National Park.

4.1 In what way do you consider you have a local connection, please state which of the following circumstances would apply to you

- a) Do you live in the National Park? If yes please give details of your current address and past addresses together with the period of residency for the past five years (please continue on another sheet if necessary)
- b) Have you lived in the National Park for a period of at least five years but moved away in the last three? If yes please give details of past addresses and period of residency for the past eight years prior to the date of completing this questionnaire
- c) Do you consider yourself to have a strong local connection with a parish wholly or partly within the National Park, for reasons other than those detailed above? If yes please specify and give full details of the nature of the connection with the parish within the Dartmoor National Park. Common examples include strong family connections, upbringing, or employment.

Please provide details below, and attach evidence wherever possible.

**5.0 STATEMENTS AND SIGNATURE**

I declare that all information in this statement is true, correct and complete. I understand, agree and consent to the Dartmoor National Park Authority making their own inquiries and checks regarding the contents of this application.

Please sign within this box:

Date:

*Thank you for completing this application. We will contact you should additional information or clarification be required.*

Dartmoor National Park Authority is registered under the Data Protection Act 1998. Your personal information will be held securely and will not be used for any purpose other than the monitoring of affordable houses within the Dartmoor National Park. Your details will not be passed on to any other organisation without your prior consent.

## DARTMOOR NATIONAL PARK AUTHORITY

10 January 2014

**THE DUTY TO CO-OPERATE:  
A DEVON-WIDE CO-OPERATION PROTOCOL**

Report of the Forward PlannerRecommendation: **That Members:**

- (i) **approve the draft Devon-wide Co-operation Protocol, attached to this report (Appendix 1), as an appropriate mechanism for assisting Dartmoor National Park Authority fulfil its legal duty to co-operate with other planning authorities and relevant bodies;**
- (ii) **authorise the Chief Executive (National Park Officer), in consultation with the Chairman, to sign the final version of the Protocol on behalf of the Authority.**

**1 Introduction**

- 1.1 The Localism Act 2011 placed a statutory duty to co-operate on planning authorities. The duty assists in providing for joined-up planning, the scope for which has been affected by the abolition of strategic planning at regional and county levels.
- 1.2 The draft Devon-wide Co-operation Protocol sets out principles and mechanisms for co-operation between planning authorities in the wider Devon area (Devon County Council, Plymouth City Council, Torbay Council, Dartmoor and Exmoor National Park Authorities), along with a range of other organisations. The 2012 local planning regulations require co-operation with a number of prescribed organisations, but this protocol does not cover them all, (See paragraph 2.3.)
- 1.3 The National Planning Policy Framework (NPPF) sets out the rationale for co-operation in spatial planning:  
 Under 'Plan-making' – (paragraph 157) –  
*'Crucially, plans should (inter alia) – be based on co-operation with neighbouring authorities, public, voluntary and private sector organisations'.*  
 Under 'Planning strategically across local boundaries' (paragraph 178) –  
*'Public bodies have a duty to co-operate on planning issues that cross administrative boundaries, particularly those which relate to the **strategic priorities** set out in paragraph 156. The Government expects joint working on areas of common interest to be diligently undertaken for the mutual benefit of neighbouring authorities.'*
- 1.4 The **strategic priorities** (NPPF paragraph 156) are:
- Housing and jobs
  - Provision of retail, leisure and other commercial development
  - Provision of infrastructure for transport, telecommunications, waste management, water supply, waste water, flood risk
  - The provision of minerals and energy (including heat)
  - Infrastructure for health, security

- Community and cultural infrastructure, including local facilities
- Climate change mitigation and adaptation
- Enhancement of the natural and historic environment, including landscape.

1.5 Providing evidence of compliance with the duty to co-operate is one of the principal tests of soundness in the examination of development plan documents. Hence, it is important to adopt a rigorous approach to the fulfilment of that statutory duty.

## 2 Comment

2.1 The draft Devon-wide Co-operation Protocol has been produced by the strategic planning team at Devon County Council, working with the Devon Planning Officer Group (DPOG), which includes the Authority's Director of Planning, and the Plymouth Sub-region Planning Officer Group.

2.2 The Protocol will apply to cross-boundary strategic matters that need to be addressed in a co-operative manner, especially with regard to evidence gathering and data sharing, infrastructure delivery, data monitoring, and matters of policy consistency. It does not constrain the responsibilities of individual authorities or replace or preclude any existing or future consultation or co-operation regimes. The Protocol does not prevent any organisation from exercising its duties according to its own discretion. It will encourage and promote joint working on a wide range of initiatives, for example, strategic housing market assessments, the Local Economic Partnership's Strategic Economic Plan and Green Infrastructure strategies

2.3 If the duty to co-operate Protocol is to be effective it would be helpful if a range of other relevant bodies and agencies also signed up to the approach. Hence, the following organisations have also been invited to sign the Protocol:

- Environment Agency
- Natural England
- Highways Agency
- Highway Authorities
- Heart of the South West Local Enterprise Partnership
- Devon Local Nature Partnership

Currently, all those bodies have agreed the Protocol in principle. This list does not include all the prescribed bodies (Local Planning Regulations). English Heritage, the Civil Aviation Authority, the Homes and Communities Agency, and Primary Care Trusts are not covered.

2.4 As regards governance, organisations covered by the protocol will agree to take a seat on an Officer Steering Group, to meet at least bi-annually following meetings of DPOG. The chair of DPOG will also chair the steering group.

2.5 The signatories to the Protocol undertake to work positively on a range of local planning matters in the interests of effective co-operation. Those 'operational activities' are set out in section 6.3 of the document. All planning authorities will agree to have regard to National Park purposes, and the National Park Authorities will agree to raise awareness of the general duty/(Section 11A(2)) of the National Parks and Access to the Countryside Act 1949 (commonly known as the 'S62 duty'), which requires relevant authorities to have regard to National Park purposes.

2.6 The duty to have regard to National Park purposes applies also to the Environment Agency, Natural England and the Highways Agency, thus the Protocol should be amended to reflect that position. As good practice, the Local Economic Partnership should also have regard to National Park purposes.

2.7 Appendix A of the Protocol lists the bodies with which local planning authorities are required to co-operate. Appendix B sets out the bodies covered by the Protocol. Appendix C contains an indicative list of topic areas for cooperation, e.g. housing need and provision, retail planning, transport, and it sets out desired outcomes and likely participants. Appendix D sets out plans and strategies that would fall within the ambit of the Protocol, e.g. National Park management plans, local transport plans, catchment action plans. The main text of the Protocol and some illustrative undertakings of the signatories, including the National Park Authority, are shown in the Appendix to this report.

### **3 Conclusion**

3.1 The Devon-wide Duty to Co-operate Protocol is welcomed. Formal approval will give a clear indication that Dartmoor National Park Authority endorses the role of integrated planning across the local area and is fully committed to the objectives of co-operative working in its forward planning functions. The protocol provides a clear framework for achieving the benefits of co-operative activity.

### **4 Financial Implications**

4.1 No direct implications, although it is possible that there could be some cost saving from joint working and co-operative activity.

### **5 Equality & Sustainability Impact**

5.1 It is considered that the implementation of the Duty to Co-operate Protocol by Devon planning authorities will have positive sustainability and equality impacts on spatial planning.

DAVID LILLINGTON

### **Background Papers**

Devon County Council (December 2013) (Draft) *The Duty to Co-operate: A Devon-wide co-operation protocol*

Communities and Local Government (CLG) (March 2012) *National Planning Policy Framework*

*The Town and Country Planning (Local Planning) (England) Regulations 2012.* (S.I. 2012 No. 767)

**Attachments: Appendix 1 - The Duty to Co-operate: A Devon-wide co-operation protocol**

*Note: This is an abridged version of the Protocol produced solely for the Dartmoor National Park Authority Meeting of 10 January 2014.*

# **The Duty to Co-operate:**

A Devon-wide co-operation protocol

**Planning strategically  
across local boundaries**

**Draft document – not approved**

December 2013

## Contents

- 1 Introduction
  - 2 Organisations covered
  - 3 Co-operation required between Local Authorities
  - 4 The role of Agencies, Partnerships and other organisations
  - 5 Beyond Devon
  - 6 Co-ordination and governance
  - 7 Protocol signatories
- Appendix A
- Appendix B
- Appendix C
- Appendix D

Draft document - not approved

# 1. Introduction

- 1.1** The duty to co-operate in relation to planning of sustainable development is enshrined in law through Section 33A of the Planning and Compulsory Purchase Act 2004 (PCPA) (inserted by Section 110 of the Localism Act 2011). It is also included within the National Planning Policy Framework (NPPF) specifically in terms of planning strategically across local boundaries. The NPPF also states that in two tier areas, County and District Authorities should cooperate with each other on relevant issues. National Planning Practice Guidance provides further detail regarding the Duty to Cooperate.
- 1.2** The establishment of this wider-Devon protocol forms a firm basis for discussing and understanding strategic issues, evaluating options to address such issues and agreeing shared outcomes and conclusions wherever possible. It will therefore help to inform decision-making by individual Local Authorities and other organisations, but does not constrain their ultimate responsibilities for policy making or replace formal consultation processes. In addition, it does not replace any existing co-operation regimes which have already been established.
- 1.3** The protocol applies to strategic matters needing to be addressed jointly and/or consistently by at least two Local Authorities. The protocol applies to a range of strategic matters, particularly:
- Exercising strategic functions and responsibilities;
  - Matters of policy and strategy (in particular plan preparation, implementation, monitoring and other cross-boundary policy issues); and
  - Matters of infrastructure, development and plan delivery.
- 1.4** These three areas of work should be supported by co-operation on:
- Agreed and shared data and evidence;
  - Agreed collection and analysis methodologies;
  - Monitoring of data collected; and
  - The development of consistent policy approaches and principles.
- 1.5** This protocol identifies principles and mechanisms for co-operation between Local Authorities in the wider Devon area together with a range of other organisations. Although it is recognised that co-operation will also be required with a number of other organisations this framework does not specifically cover these relationships.
- 1.6** For the purpose of this protocol, the administrative areas within wider Devon are those covered by:
- Devon County Council (including all District Council areas, Dartmoor National Park and the western part of Exmoor National Park);
  - Plymouth City Council; and
  - Torbay Council.
- 1.7** The Duty to Co-operate is required by legislation. However, the signatory organisations also recognise that on-going co-operation will proactively identify potential opportunities for joint working which could deliver

efficiency savings. It is likely that there will significant savings through joint working, particularly by front-loading data collection and analysis, joint commissioning and shared policy development.

- 1.8** The protocol sets out a strategic framework to enable efficient, coordinated and consistent co-operation on agreed matters. This does not preclude co-operation arrangements between organisations on specific spatial issues as is appropriate. Such relationships will specifically operate between Authorities covered by this protocol and other neighbouring Councils. The protocol also identifies the topic areas which may require specific co-operation between some, or all, of the organisations listed. Finally, the protocol sets out the governance arrangements that have been agreed in order to ensure the efficient functioning of co-operation activities as covered by the protocol.
- 1.9** The protocol is intended to be a living document setting the overarching framework for co-operation as part of fulfilling strategic planning responsibilities. Co-operation between organisations will develop and grow over time as procedures become clear, working arrangements mature and examples of best practice are disseminated.
- 1.10** Irrespective of the timetables for plan preparation, and whether or not Local Authorities already have policy documents adopted, on-going co-operation will still be required to ensure the soundness of emerging plans. This protocol supports this by providing a framework for on-going co-operation.

## **2 Organisations covered**

- 2.1** There are a number of organisations which should co-operate on the various strands of work identified in this protocol. The way in which co-operation should operate will vary according to the activities being undertaken and the needs and responsibilities of the organisations involved.
- 2.2** Significant co-operation is a characteristic of the work undertaken by Local Authorities, Government Agencies and other public bodies and is therefore on-going. Organisations have existing co-operative relationships with specific bodies depending on the spatial nature of the work being undertaken and the issues being considered. This should continue.
- 2.3** Meeting the Duty to Cooperate suggests the need to formalise such relationships, particularly in terms of evidencing how these have worked. The Planning and Compulsory Purchase Act also specifically identifies Local and County Planning Authorities within the scope of the Duty, while a list of prescribed organisations is set out in Regulation 4 of the Town & Country Planning (Local Planning) (England) Regulations 2012 as amended (the Regulations). In particular, co-operation is required in order to develop sound plans.
- 2.4** As per the Town and Country Planning (Local Planning) (England) Regulations 2012, the organisations with whom Local Planning Authorities are required to co-operate include a range of organisations including government Agencies. Upper tier Authorities are also required to co-operate with these organisations. It is considered particularly



important to liaise closely and through an on-going mechanism with the following organisations:

- Environment Agency;
- Natural England;
- Highways Agency; and
- Highway Authorities.

**2.5** Although not included specifically within this list, there are other groups with whom Local Authorities will need to co-operate. These are set out by the Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2012). Relevant organisations are:

- The relevant Local Enterprise Partnership; and
- The relevant Local Nature Partnership.

**2.6** The full list of organisations listed within the Town and Country Planning (Local Planning) (England) Regulations 2012 is included in Appendix A.

**2.7** Although all these organisations are referenced in some way in the Regulations it is not appropriate for all such organisations to be covered by this protocol due to the number of organisations, their spatial scope and the requirements they themselves have for co-operation for exercising their own functions. The organisations specifically covered by this protocol are included in Appendix B.

**2.8** It should be noted that this protocol does not aim to provide the entire framework for co-operation in the Devon area and the list of organisations which should co-operate in the exercising of their functions is not exhaustive. Within the overarching framework provided by this Protocol, the Devon Local Authorities, Agencies, Local Enterprise Partnership and the Local Nature Partnerships will continue to work together through more local arrangements as appropriate.

**2.9** Co-operation activities are also on-going with Authorities outside of Devon, particularly Cornwall Council, Somerset County Council and Dorset County Council and the Local Planning Authorities. These activities should continue.

**2.10** Although the various organisations are specifically identified for co-operation on issues of plan preparation, co-operation should also extend to additional activities as may be required by the Agencies, Local Enterprise Partnership and the Local Nature Partnerships as they exercise their functions.

## **3 Co-operation required between Local Authorities**

### **3.1 Exercising strategic planning functions and responsibilities**

- 3.1.1 The duty is most important in relation to the preparation of Development Plan Documents that are subject to an Examination. In this case, compliance with the duty is a first essential test at the Examination. However, there is a requirement that the duty to co-operate be satisfied on an on-going basis in exercising the functions of Local Authorities and other organisations. There are on-going strategic matters over which the Local Authorities in Devon and other organisations already co-operate and this should continue.
- 3.1.2 The signatories to this protocol have agreed the specific aspects of various planning-related topic areas that should be encompassed in co-operative activities and therefore are covered by this protocol.
- 3.1.3 The nature of the co-operation on these issues is explored and explained in more detail in Appendix C in terms of the scope of co-operation, the outcomes sought, and how co-operation may take place. This also sets out the specific actions which the Planning Authorities have agreed to undertake.
- 3.1.4 The specific aspects of the topic areas for co-operation are based on the content of the NPPF. There are likely to be other matters that should be addressed on an on-going basis as they arise. These topics and issues are to be discussed through the Officer Steering Group associated with this protocol (and discussed in section 6) in order to consider which associated discussions need to take place within the framework of the protocol.
- 3.1.5 It should be noted that co-operation between all Authorities covered by this protocol will not always be required for every aspect of every topic area. This is because some issues and topics are only relevant to a defined spatial area and specific Authorities.
- 3.1.6 This approach ensures that the protocol is flexible to acknowledge additional, but uncertain, issues which will require co-operation. It also ensures that co-operation does not become over laborious or prescriptive.
- 3.1.7 A key outcome of the agreement enshrined within the protocol is to ensure that co-operation will be undertaken in a comprehensive and systematic way. Agreed, evidence-based outcomes will be presented clearly to allow political agreement to be sought and identified.

## **3.2 Co-operation on matters of plan and strategy preparation**

- 3.2.1 In preparing plans and strategies, particularly documents which are subject to Examination, fulfilling the duty to co-operate is a legal requirement. The Devon Local Authorities have, however, agreed that there are a number of other plans which should be prepared in the context of the duty to co-operate. A list of plans which will require co-operation is included in Appendix D. This list is not intended to be exhaustive. This list will be kept up to date by the Officer Steering Group for the duty to co-operate protocol.
- 3.2.2 Co-operation on plan preparation will cover the following:
- Cross-boundary issues, particularly in relation to strategy development and policy alignment;

- The establishment of consistent data sets (potentially including Sustainability Appraisal, Strategic Environmental Assessment, Habitats Regulation Assessment, sharing of evidence/data and joint commissioning where appropriate);
- Agreed mechanisms for on-going engagement through the plan preparation process and the provision of consultation responses;
- Master planning;
- Infrastructure planning;
- Demographic forecasting and housing projections; and
- Agreeing guiding principles and strategic priorities.

3.2.3 The breadth of co-operation on these areas of work will depend upon the extent of the strategic and cross-boundary issues associated with them. This means that there will not always be a need for detailed co-operation with all signatories of this protocol.

3.2.4 In some cases it may be appropriate to consider the potential for a joint plan, however, in most cases, joint evidence, discussion and consistent plan preparation timetables can provide an effective and flexible way of joint working to secure a consistent approach to cross-boundary issues.

3.2.5 There are likely to be resource implications associated with co-operation on plan preparation and infrastructure delivery. Organisations should endeavour to provide the required resources available to enable the lead organisation to undertake its functions effectively and in a timely manner. Where resources are limited or unavailable the organisation should inform the lead organisation of the level of input which they can offer

3.2.6 This protocol provides a framework through which the signatories will act/respond formally to issues and matters of discussion. It forms the basis for discussing issues, evaluating options to address such issues and agreeing outcomes wherever possible but ultimately respects the individual identities and interests of its signatory organisations. Should agreements on strategic issues not be achieved, positions of compromise should be negotiated. Where such compromises cannot be achieved, records should be kept identifying points of common ground, points of disagreement and the attempts made to resolve concerns.

### **3.3 Co-operation on plan and infrastructure delivery**

3.3.1 Infrastructure delivery is vital to both plan implementation and development delivery. In this context, infrastructure delivery will include more traditional 'grey infrastructure' together with green, blue and flood defence infrastructure. It is vital to draw together different Local Authorities, Agencies, Local Enterprise Partnership and the Local Nature Partnerships in a consistent and systematic way to ensure appropriate infrastructure and development delivery which will also help to deliver the content of plans and support sustainable development. In particular such infrastructure will mitigate the impact of development and helped to ensure the achievement of plan objectives and strategy.

3.3.2 Co-operation on infrastructure delivery will particularly include:

- Infrastructure planning (including capacity and needs assessments and the preparation of Infrastructure Delivery Plans);

- Agreeing infrastructure priorities through appropriate governance mechanisms;
- Enabling infrastructure to provide multiple benefits and fulfil shared priorities;
- Consideration of the phasing of infrastructure delivery;
- The co-ordination of funding sourcing;
- The monitoring of funding revenue and availability; and
- The agreement of infrastructure programme management.

3.3.3 The breadth of co-operation on these areas of work will depend upon the extent of the strategic and cross-boundary issues associated with them. This means that there will not always be a need for detailed co-operation with all signatories of this protocol.

3.3.4 In many cases it will be necessary to co-operate specifically with private sector bodies, particularly utilities companies and infrastructure providers.

**In order to ensure that the success of Local Plans in achieving strategic objectives can be assessed, plan monitoring will be vital. A strategic and, where possible, co-ordinated approach to this issue, looking at cross-boundary issues and priorities will be required.**

## **4 The role of Agencies, Partnerships and other organisations**

4.1 Although the duty to co-operate is centred upon the need for co-operation between Local Authorities, it also applies to other organisations, including Government Agencies, the Local Enterprise Partnership and the Local Nature Partnerships. As such, the following organisations are signatories to the protocol:

- Environment Agency;
- Natural England;
- Highways Agency;
- Heart of the South West Local Enterprise Partnership; and
- Devon Local Nature Partnership.

4.2 All organisations listed in Appendix A of this protocol have agreed to co-operate as appropriate and required in matters of strategic planning. This will ensure that all signatory organisations are consistently involved in discussions identifying strategic matters (county-wide and sub-county) that will require cross-boundary co-operation.

4.3 Local Authorities will engage with the organisations listed in Appendix B, as appropriate, in all stages of plan preparation, infrastructure planning and master planning from scoping onwards as appropriate. The Agencies, Local Enterprise Partnership and Local Nature Partnership will respond to this engagement in positive way, providing input into strategic planning matters where it is relevant to their statutory remit.

4.4 It should be noted that in some work areas, detailed discussion with all signatories may not be required. Genuine two-way discussions will take place to ensure that the full range of organisations have an effective and meaningful framework for identifying matters arising from planning

activities as soon as they become apparent. This will allow issues to be incorporated as a consideration in on-going planning processes. The lead organisation will approach other relevant organisations to mutually agree the required level of co-operation.

- 4.5** Co-operation will be meaningful, consistent and iterative. This may therefore result in the need for engagement with organisations not currently covered by the Protocol or invitations for other organisations to endorse it.

#### **Key co-operation commitments**

- 4.6** Government Agencies, the Local Enterprise Partnership and the Local Nature Partnerships will engage, involve and co-operate with all signatories of this protocol in their own functions as is required. In addition, they will identify matters arising from their functions and plan-preparation as soon as they become apparent in order for them to be incorporated as a consideration in on-going strategic decision making processes.
- 4.7** The Local Authorities will engage in the development of strategies, plans and investment programmes being prepared by the Agencies and Partnerships. This will ensure that such documents are based upon sound evidence and reflect the priorities of the Local Authorities. Specific examples of documents in which the Local Authorities will need specific involvement are the LEP Growth Plans and LNP action plans.
- 4.8** Matters arising which require co-operation will be brought to the attention of the Local Authorities by the relevant organisation as they arise. Issues will be disseminated via the Officer Steering Group.
- 4.9** In some cases, it will be sufficient to identify and agree that there is no need for on-going co-operation between two or more of the bodies. In other cases, detailed and lengthy co-operation will be required. It will be for the lead organisation to suggest the level of co-operation required through discussions and agreement with the other relevant organisations providing input into the process in question. The level of co-operation should be identified as reasonable and proportionate through agreement between the lead organisation and the organisation feeding into the process.
- 4.10** It is acknowledged that not every organisation with whom Local Authorities are required to co-operate during planning activities are signatories to this protocol. On-going co-operation will still be required with other organisations to ensure that their interests are considered appropriately in planning activities.

## **5 Beyond Devon**

- 5.1** There are issues of plan preparation, infrastructure delivery and other responsibilities which cross administrative boundaries with Local Authorities outside of Devon. In particular, there are vital relationships with Cornwall Council, Somerset County Council, Dorset County Council and a number of the neighbouring District Councils.
- 5.2** In addition, it is important that co-operation should also extend to other organisations representing areas with functional relationships to Devon.

Particular examples of such organisations would be other Local Enterprise Partnerships and other Local Nature Partnerships. As Local Enterprise Strategic Economic Plans becomes more formalised, the need for cross-boundary cooperation will become clearer, and the mechanisms stronger.

- 5.3** This protocol does not address the need for co-operation with Local Authorities outside of Devon as doing so would be likely to result in the protocol becoming unwieldy.
- 5.4** However, it is recognised that the principles underpinning the Duty to Co-operate are not constrained by administrative boundaries but relate to the functional relationships that exist between places. The Duty to Co-operate still requires co-operation between appropriate organisations on specific issues which may extend beyond Devon. As such, this protocol does not preclude the need for co-operation with other bodies and Local Authorities on locally specific issues and topics. Such co-operation already takes place and will continue effectively. The signatories to the protocol commit to this wider co-operation on an on-going basis.
- 5.5** The nature of possible co-operation across administrative boundaries into areas outside of Devon is shown schematically in Figure 1. This figure does not show the detail of cross-boundary co-operation with Authorities outside Devon, however it does identify the importance of additional discussions outside the remit of this protocol.

## **6 Co-ordination and governance**

### **6.1 Introduction**

- 6.1.1** It is vital that the mechanisms of co-operation as identified in this protocol are administered appropriately to ensure the on-going operation of the system.
- 6.1.2** In this regard, the administration and monitoring of the effectiveness of the protocol are managed through a two- tier structure. This will ensure sufficient support for the regime to ensure it operates effectively and sustainably.

### **6.2 Strategic governance**

- 6.2.1** All organisations covered by this protocol will endeavour to provide representation on an Officer Steering Group as required. The Steering Group will:

- Meet at least biannually as part of the Devon Planning Officer Group (DPOG) sessions;
- Be led by a biennially agreed and rotational Chair. The Chair of DPOG will also Chair the Steering Group. As such, the Chair will be a representative from a Local Authority;
- Be supported by an Officer Steering Group Secretary appointed on a rotational, annual basis, representing the same organisation as the Chair. The Secretary of DPOG will also be secretary for the Officer Steering Group; and
- Agree matters for on-going co-operation, such as the preparation of agreed evidence on specific issues and covering specific areas.

### **6.3 Operational activities**

#### **6.3.1 Protocol signatories will:**

- Identify and respond to matters arising through plan preparation and other localised issues that will require cross-boundary co-operation;
- Where issues arise through Local Plan preparation or infrastructure delivery, endeavour to work to the timetable requirements of the organisation responsible for that area of work (the 'lead organisation');
- Present key issues and any additional position statements or Memoranda to Members or relevant senior staff (as considered appropriate) for sign-off;
- Prepare statements (of endorsement) relating to compliance with the Duty to Co-operate on specific spatial issues which may arise;
- In the case of Local Authorities, these statements should be agreed by Senior Officers and approved by appropriate Members if considered appropriate; and
- In the case of the Agencies, the Local Enterprise Partnership and Local Nature Partnerships, these statements should be agreed by appropriate members of staff and approved by senior representatives.

6.3.2 It should be noted that the protocol does not preclude any organisation from exercising its duties according to its own discretion and is not legally binding.

6.3.3 Individual organisations may also choose to report more widely in accordance with their respective constitutions or terms of reference.

6.3.4 The operational mechanisms governing this Duty to Cooperate Protocol and the content of this Protocol itself will be monitored and reviewed according to evolving circumstances. Reviews will be held at least biennially.

### **6.4 Co-operation reporting**

6.4.1 In the case of Local Authorities, discussions held, and decisions made, at the Officer Steering group will be reported to the relevant Members of the Local Authorities. This will involve the relevant Cabinet, Executive Member or Portfolio Holder.

6.4.2 In the case of the Agencies, Local Enterprise Partnership and the Local Nature Partnerships, discussions held, and decisions made, at the Officer Steering group will be reported to the relevant senior representatives.

### **6.5 Record keeping**

6.5.1 It is important to systematically record and retain details of any significant stages of progress on key work areas. There is a requirement for Local Authorities to account for records of compliance with the Duty to Co-operate through monitoring reports that must be published on at least an annual basis. Such reporting should cover topics and issues (as listed in

Appendix C) over which there is agreement and, in particular, disagreement.

- 6.5.2 The Officer Steering Group Secretary will take and retain the minutes from the biannual meetings of the Officer Steering Group. Where appropriate, the minutes and records from other, less formal discussions between organisations covered by this protocol will be sent to the Officer Steering Group Secretary.

Draft document - not approved



## Protocol signatories

### Dartmoor National Park Authority

In exercising strategic functions and responsibilities, in matters of plan and strategy preparation and in plan and infrastructure delivery, Dartmoor National Park Authority will co-operate with all other signatories of this protocol. In particular the Authority will:

- Co-operate fully with all organisations identified within Appendix B, in the preparation of the documents included in Appendix D for which the Authority is responsible. The specific co-operation outcomes, and the mechanisms for achieving them with which Dartmoor National Park will engage, are included in Appendix C;
- Co-operate with all of the Local, Minerals and Waste Planning Authorities in Devon, and other relevant organisations, in the preparation of an appropriate local, minerals and waste planning policy framework, in particular regarding the consideration of planning issues which have a defined spatial element crossing administrative boundaries and authority responsibilities;
- Fully engage, and engage with, other Local Authorities and infrastructure providers in the preparation of planning policy and plan delivery to facilitate on-going specialist input, infrastructure planning and strategic guidance;
- Support other organisations in the preparation of the documents included in Appendix D;
- Proactively seek and provide input into the decision-making processes for the sourcing and allocation of infrastructure funding; and
- Raise awareness of the general duty (S62) in the Environment Act 1995, which requires relevant authorities, including the National Park Authority itself, to have regard to statutory National Park purposes and if it appears that there is an irreconcilable conflict between the two purposes shall attach greater weight to the purpose of conserving and enhancing the natural beauty, wildlife and cultural heritage of the National Park.

### Devon County Council

In exercising strategic functions and responsibilities, in matters of plan and strategy preparation and in plan and infrastructure delivery, Devon County Council will co-operate with all other signatories of this protocol. In particular, the Authority will:

- Co-operate fully with all organisations identified within Appendix B, in the preparation of the documents included in Appendix D for which the County Council is responsible. The specific co-operation outcomes, and the mechanisms for achieving them with which Devon County Council will engage, are included in Appendix C;
- Co-operate with all of the Local, Minerals and Waste Planning Authorities in Devon, and other relevant organisations, in the preparation of an appropriate local, minerals and waste planning policy framework, in particular regarding

the consideration of planning issues which have a defined spatial element crossing administrative boundaries and authority responsibilities;

- Actively engage in the preparation of planning policy and plan delivery, through on-going specialist input, infrastructure planning support and strategic guidance;
- Support other organisations in the preparation of the documents included in Appendix D;
- Proactively provide input into the decision-making processes for the sourcing and allocation of infrastructure funding;
- Have regard to statutory National Park purposes; and
- Aim to improve the health and wellbeing of its population and reduce health inequalities.

## Plymouth City Council

In exercising strategic functions and responsibilities, in matters of plan and strategy preparation and in plan and infrastructure delivery, Plymouth City Council will co-operate with all other signatories of this protocol. In particular, the Authority will:

- Co-operate fully with all organisations identified within Appendix B, in the preparation of the documents included in Appendix D for which the City Council is responsible. The specific co-operation outcomes, and the mechanisms for achieving them with which Plymouth City Council will engage, are included in Appendix C;
- Co-operate with all of the Local, Minerals and Waste Planning Authorities in Devon, and other relevant organisations, in the preparation of an appropriate local, minerals and waste planning policy framework, in particular regarding the consideration of planning issues which have a defined spatial element crossing administrative boundaries and authority responsibilities;
- Fully engage, and engage with, other Local Authorities and infrastructure providers in the preparation of local planning policy and local plan delivery to facilitate on-going specialist input, infrastructure planning and strategic guidance;
- Support other organisations in the preparation of the documents included in Appendix D;
- Proactively seek and provide input into the decision-making processes for the sourcing and allocation of infrastructure funding; and
- Have regard to statutory National Park purposes.

## South Hams District Council

In exercising strategic functions and responsibilities, in matters of plan and strategy preparation and in plan and infrastructure delivery, South Hams District

Council will co-operate with all other signatories of this protocol. In particular, the Authority will:

- Co-operate fully with all organisations identified within Appendix B, in the preparation of the documents included in Appendix D for which the Council is responsible. The specific co-operation outcomes, and the mechanisms for achieving them with which South Hams District Council will engage, are included in Appendix C;
- Co-operate with all of the Local, Minerals and Waste Planning Authorities in Devon, and other relevant organisations, in the preparation of an appropriate local, minerals and waste planning policy framework, in particular regarding the consideration of planning issues which have a defined spatial element crossing administrative boundaries and authority responsibilities;
- Fully engage, and engage with, other Local Authorities and infrastructure providers in the preparation of planning policy and plan delivery to facilitate on-going specialist input, infrastructure planning and strategic guidance;
- Support other organisations in the preparation of the documents included in Appendix D;
- Proactively seek and provide input into the decision-making processes for the sourcing and allocation of infrastructure funding; and
- Have regard to statutory National Park purposes.

## The Heart of the South West LEP

In exercising its strategic functions and responsibilities, in matters of plan and strategy preparation and in infrastructure planning and funding co-ordination, the Heart of the South Local Enterprise Partnership will co-operate with all other appropriate signatories of this protocol. In particular the Heart of the South West Local Enterprise Partnership will:

- Share appropriate data, insight and intelligence when requested to ensure a robust evidence base is embedded in policy and investment decision-making;
- Respond to formal stages in the preparation of Development Plan Documents as appropriate;
- Work with the other signatories to the protocol in the development of the plans and strategies identified in Appendix D as appropriate (for info this includes Local Enterprise Partnership Strategic Economic Plans and Structural and Investment Funds Strategies); and
- Actively seek and facilitate partnership funding opportunities for appropriate infrastructure provision, work with other signatories to the protocol to secure infrastructure funding and liaise with other protocol signatories over the development strategic investment programmes, particularly in relation to the Local Growth Deal.

## The Environment Agency

In exercising its strategic functions and responsibilities, in matters of plan and strategy preparation and in plan and infrastructure delivery, the Environment Agency will co-operate with all other appropriate signatories of this protocol. In particular the Environment Agency will:

- Fulfil its statutory roles as a consultee at formal stages in the preparation of all Development Plan Documents produced by Planning Authorities;
- Endeavour to provide resource for additional and added value co-operation at informal stages of plan preparation and on other plans where we are not a statutory consultee wherever it is available;
- Provide and share environmental information and data held when requested to better inform plan and strategy evidence bases and studies;
- Improve communication regarding Environment Agency plans and strategies;
- Actively seek partnership funding opportunities for schemes in the Medium Term Plan and liaise with other protocol signatories over strategic investment programmes; and
- Provide on-going involvement in the maintenance of this protocol and in the Officer Steering Group as required.

## Natural England

In exercising its strategic functions and responsibilities, in matters of plan and strategy preparation and in plan and infrastructure delivery, Natural England will co-operate with all other appropriate signatories of this protocol. In particular Natural England will:

- Fulfil its our statutory role as a consultee at formal stages in the preparation of relevant development plan documents produced by Planning Authorities. We will focus our engagement on issues relating to HRA and SEA/SA;
- Engage at informal stages of the plan preparation process, where resource allows;
- Endeavour to provide early engagement to ensure the significant strategic environmental issues and opportunities are identified and agreed from the outset;
- Provide and share environmental information and data held when requested to better inform the plan and strategy evidence bases and studies; and
- Provide on-going involvement and input into the Officer Steering Group on matters which are relevant to our remit. Where Natural England's advice is critical to a particular environmental issue then we will also assist the working groups to take forward key work areas where these

align with Natural England's remit, priorities and statutory responsibilities.

## The Highways Agency

In exercising its strategic functions and responsibilities, in matters of plan and strategy preparation and in plan and infrastructure delivery, the Highways Agency will co-operate with all other appropriate signatories of this protocol. In particular the Highways Agency will:

- Fulfil its statutory role as a consultee at formal stages in the preparation of all Development Plan Documents produced by Local Authorities;
- Fulfil its statutory role as a consultee on planning applications;
- Work with the other signatories to the protocol in the development of the plans and strategies identified in Appendix D;
- Fully involve other signatories to the protocol in the development of Highways Agency plans and strategies;
- Provide and share appropriate information and data held when requested to better inform plan and strategy evidence bases;
- Actively seek partnership funding opportunities for appropriate infrastructure provision, work with the other signatories to the protocol to secure infrastructure funding and liaise with other protocol signatories over strategic investment programmes; and
- Provide on-going involvement in the maintenance of this protocol and in the Officer Steering Group as required.

## DARTMOOR NATIONAL PARK AUTHORITY

10 January 2014

**FEES AND CHARGES 2014/15**Report of the Head of ResourcesRecommendation : **That Members:**

- (i) **Note the content of the report;**
- (ii) **Approve the recommendations made in section 3 of this report;**
- (iii) **Approve the fees and charges contained in Appendix 2 to this report for the financial year 2014/15**

**1 Background**

- 1.1 The Authority is responsible for a number of services for which fees are permitted to be charged in order to offset the costs involved. The fees and charges considered to be appropriate were originally set when Dartmoor National Park Authority became a free-standing Authority in 1997. A fundamental review took place for the 2011/12 financial year due to the changing financial climate and the Government's requirement that Local Authorities should raise revenue wherever possible to cover costs.

**2 Current Situation**

- 2.1 The Authority needs to consider the fees and charges for each financial year when setting its budget, as the income stream, while not a major source of income (excluding planning and mobile vending), does assist the Authority in setting a balanced budget and in covering the costs of delivering some services.
- 2.2 A report was presented to the Authority in February 2013 (NPA/13/001) and the fees and charges for 2013/14 were approved. Many areas remained unchanged but those areas which did see a major change in 2013/14 are:
- (a) The introduction of car parking charges at Princetown as approved by the Authority on 5 October 2012 (NPA/12/045). Implemented in August 2013.
  - (b) Charging for bespoke events at Higher Uppacott as approved by the Authority on 7 December 2012 (NPA/12/049) with delegated authority being given to the Director of Conservation & Communities to set the fees and charges, due to the unique nature and range of experiences that will be offered.
  - (c) Legal charges - the introduction of:
    - a minimum fee for S106 agreements;
    - a fee for supplying data to non public bodies; and
    - a fee to cover the cost of drawing up contracts required for filming and use of Authority owned land for events etc
  - (d) An increase to the cost of replacing gateposts to ensure full cost recovery.

- (e) Ceasing the admission charge to the exhibition area at the High Moorland Visitor Centre, (now renamed National Park Visitor Centre, Princetown), as approved at Authority on 7 December 2012 (NPA/12/047).

2.3 Appendix 1 provides information on the budgeted level of income expected from fees and charges for 2013/14, the level achieved for the first eight months and the projected outturn for the financial year.

### **3 Recommendations for 2014/15**

- 3.1 It is recommended that a new charge be introduced in respect of Public Path Orders: for extending a temporary closure and submission to the Secretary of State, to cover Officer time and advertising costs.
- 3.2 There is little justification for increasing any of our other fees and charges at this time, as any increased costs associated with provision is minimal.
- 3.3 It is recommended that the parking charges at Princetown be reviewed in the summer of 2014 once we have a full 12 months of data, income and associated costs.

### **4 Financial Implications**

- 4.1 As previously stated, fees and charges (outside of planning fees) are not a major income source for the Authority and the income projected for the current financial year is £52,598 (£48k in 2012/13) excluding planning fees, sales and mobile vending (see Appendix 1). However, the charges applied may be the difference between providing a service and having to withdraw it altogether.
- 4.2 The proposed fees and charges as set out in Appendix 2 will be incorporated into the 2014/15 Revenue Budget, which will be presented to the Authority (in draft form) in February.

### **5 Sustainability & Equality Impact**

- 5.1 The implications for access to services and the economy of the area are fully considered and addressed in all of the Authority's policies, especially when considering charging for services. Consideration is given to proactively engaging those who may not otherwise access Dartmoor, being mindful of potential barriers and balancing the need to generate income and maintaining budgets that are flexible and responsive to the needs of service users.

DONNA HEALY

**Background Papers:** NPA/13/001, NPA/12/045, NPA/12/049, NPA/12/047

**Attachments:** Appendix 1 - Income to date for 2013/14  
Appendix 2 - Proposed fees and charges 2014/15

<b>Sales, Fees and Charges 2013/14</b>	<b>Budget</b>	<b>Actual at Month 8</b>	<b>Forecast Outturn</b>	<b>Variance Under (Over)</b>	
	<b>£</b>	<b>£</b>	<b>£</b>	<b>£</b>	
Sale of Wood & Logs	0	(90)	(100)	(100)	
Deer Management	0	(274)	(274)	(274)	
Filming & Wayleaves	0	(6,777)	(6,777)	(6,777)	
Events: Education Field Studies	0	(28)	(28)	(28)	
Events: Higher Uppacott	0	(128)	(128)	(128)	Introduced 2012/13
Farm Environmental Plans	0	(1,500)	(1,500)	(1,500)	
Talks	0	(200)	(200)	(200)	
Room Hire (Parke)	0	(199)	(199)	(199)	
Public Path Orders	0	(880)	(880)	(880)	
Photocopying	(200)	(296)	(300)	(100)	
Recovery of court costs & S106 fees etc	(4,150)	(3,800)	(4,150)	0	
Honesty Cairns (donations)	(10,000)	(12,383)	(13,000)	(3,000)	
Car Parking @ Princetown	(20,000)	(4,000)	(10,000)	10,000	Delayed start, first income not yet received from WDBC
Mobile Vending	(18,000)	(18,000)	(18,000)	0	
Information Centres Sales	(118,000)	(74,706)	(80,000)	38,000	Target budget too ambitious. Slow start to season
Donations	(3,000)	(3,406)	(3,500)	(500)	
Guided Walks	(800)	(720)	(800)	0	
Educational Walks	(5,000)	(3,640)	(5,000)	0	
Ranger Ralph	(600)	(645)	(645)	(45)	
£ for the Park	(1,500)	(3,202)	(3,202)	(1,702)	
Advertising	(1,700)	(1,700)	(1,700)	0	
Enforcement Fees	0	(955)	(955)	(955)	
Planning Fees	(160,000)	(126,242)	(170,000)	(10,000)	15% fee increase and several larger applications
Non Material Amendments	(2,000)	(2,060)	(2,500)	(500)	
Monitoring of Mineral Sites	(1,000)	0	0	1,000	
Discharge of Conditions	(3,500)	(5,453)	(6,000)	(2,500)	
	<b>(349,450)</b>	<b>(271,284)</b>	<b>(329,838)</b>	<b>19,612</b>	



**DARTMOOR NATIONAL PARK AUTHORITY  
FEES AND CHARGES 2014/15**

Description of Charges Levied (or Donations suggested)	Unit	2013/14 Rates (VAT @ 20%) £			Proposed Rates 2014/15 (VAT @ 20%)
		NET (£)	VAT (£)	GROSS (£)	GROSS (£)
<b>Administration</b>					
Photocopying - Black and White (charges for sizes over A3 as for plans below)	A4 per side	0.17	0.03	0.20	No change
	A3 per side	0.17	0.03	0.20	
Photocopying - Colour (charges for sizes over A3 as for plans below)	A4 per side	0.29	0.06	0.35	
	A3 per side	0.29	0.06	0.35	
Plan Copying – Colour (subject to copyright)	A4 per side	0.29	0.06	0.35	
	A3 per side	0.29	0.06	0.35	
	A2 per side	0.58	0.12	0.70	
	A1 per side	1.04	0.21	1.25	
	A0 per side	2.00	0.40	2.40	
<b>NB: Copying charges that total less than £1 will be waived</b>					
Microfilm Copying		As photocopying			As Photocopying
Private Telephone Calls		Actual time			No change
Private Faxes		Actual time			No change
<b>Development Management</b>					
Planning Application Fees		<b>NET (£)</b>	<b>VAT (£)</b>	<b>GROSS (£)</b>	<b>GROSS (£)</b>
		<a href="#">Govt Scale Charges</a>			Govt Scale Charges
Copy of Section 52/106 Agreement		Charge per page in scale of photocopying charges above subject to maximum charge of £10.00 (inc VAT)			But also available free online
Copy of Decision Notice					
Copy of Enforcement Notice					
Copy of Appeal Decisions					
Copy of Appeal Statement					
Copy of Tree Preservation Order					
Copy of Weekly List (annual subscription)					
Planning Search		112.50	22.50	135.00	No change
		9.17	1.83	11.00	
		1.67	0.33	2.00	
All postal requests carry a minimum £2 postage/administration charge. Actual postage will be charged if in excess of £2					
<b>Authority</b>		<b>NET (£)</b>	<b>VAT (£)</b>	<b>GROSS (£)</b>	<b>GROSS (£)</b>
Agenda – Copies of Minutes/Reports/One off requests		Charge per page (inc VAT)			No change

**DARTMOOR NATIONAL PARK AUTHORITY  
FEES AND CHARGES 2014/15**

Description of Charges Levied (or Donations suggested)	Unit	2013/14 Rates (VAT @ 20%) £			Proposed Rates 2014/15 (VAT @ 20%)	
		NET (£)	VAT (£)	GROSS (£)	GROSS (£)	
<b>Meeting Room Hire</b>						
<b>Parke</b>						
Meeting Room	Half Day (up to 4 hrs)	75.00	EXE	75.00	No change	
	All Day (over 4 hrs)	150.00	EXE	150.00		
	Refreshments per delegate:					
	1st serving	1.25	0.25	1.50		
	2nd serving	0.83	0.17	1.00		
Cancellation charges	Notice of cancellation of 48 hours or more	No Charge				
	Notice of cancellation 24 to 48 hours	50% Charge				
	Notice of cancellation less than 24 hours	Full Charge				
<b>High Moorland Office</b>						
Room 1	1 hour	15.00	EXE	15.00		No change
	Half Day (up to 4 hrs)	40.00	EXE	40.00		
	All Day (over 4 hrs)	65.00	EXE	65.00		
	Evening Room Hire (per hour)					
	Refreshments per delegate:					
	1st serving	1.25	0.25	1.50		
	2nd serving	0.83	0.17	1.00		
<b>Honesty Cairns (Donations)</b>						
Cars		2.00	OOS	2.00	No change	
Coaches		5.00	OOS	5.00		
<b>Car Parking at Princetown</b>						
Cars - Per Day		0.83	0.17	1.00	No change	
Coaches - Per Day		3.33	0.67	4.00		

**DARTMOOR NATIONAL PARK AUTHORITY  
FEES AND CHARGES 2014/15**

Description of Charges Levied (or Donations suggested)		Unit	2013/14 Rates (VAT @ 20%) £			Proposed Rates 2014/15 (VAT @ 20%)	
			NET (£)	VAT (£)	GROSS (£)	GROSS (£)	
<b>Woodlands</b>							
Cordwood		Trailer load	All forestry products to be sold at current market rates (plus VAT)			No change	
		Cubic metre					
Chippings		Bag					
Sign Arms (fingers)	Single	420 x 114 x 21mm	5.00	1.00	6.00		
(Minimum 10 boards)	Single	530 x 114 x 21mm	5.40	1.08	6.48		
	Single	710 x 114 x 21mm	7.00	1.40	8.40		
	Double	1320 x 114 x 21mm	15.40	3.08	18.48		
	Single	760 x 171 x 21mm	9.50	1.90	11.40		
	Double	1370 x 171 x 21mm	17.50	3.50	21.00		
Signboards (Minimum 10 boards)	A	530 x 80 x 21mm	4.30	0.86	5.16		
	B	400 x 300 x 21mm	17.00	3.40	20.40		
	C	600 x 300 x 21mm	22.00	4.40	26.40		
	D	300 x 200 x 21mm	5.75	1.15	6.90		
	E	600 x 200 x 21mm	10.25	2.05	12.30		
<b>Guided Walks and Education Walks</b>			<b>NET (£)</b>	<b>VAT (£)</b>	<b>GROSS (£)</b>	<b>GROSS (£)</b>	
Guided Walks		Adult	4.00	EXE	4.00	No change	
		14 years & under	FREE OF CHARGE				
Children's Activities		Children (accompanying adult free)	4.00	EXE	4.00		
Private talks		Higher Uppacott - per group (max 20)	40.00	EXE	40.00		
Education Walks		Walks up to 3 hours (per guide = 25 children)	50.00	EXE	50.00		
		Walks up to 6 hours (per guide = 25 children)	60.00	EXE	60.00		
Ranger Ralph		Annual subscription (per child)	5.00	ZERO	5.00		
		Events	FREE OF CHARGE				
Higher Uppacott		Bespoke Events	Delegated to Director of Conservation and Communities				No Change

**DARTMOOR NATIONAL PARK AUTHORITY  
FEES AND CHARGES 2014/15**

Description of Charges Levied (or Donations suggested)	Unit	2013/14 Rates (VAT @ 20%) £			Proposed Rates 2014/15 (VAT @ 20%)
		NET (£)	VAT (£)	GROSS (£)	GROSS (£)
<b>Legal Services</b>					
<b>Public Path Orders:</b>					
Public path orders: Advertisements x 2	Per advert	See Below			No change
Preparing order, all officer time, administration, postage, legal costs, site visits, notices, negotiations with users etc	Unopposed orders	£850.00 plus advertising costs (plus VAT)			
	Additional orders linked to above	£300.00 plus advertising costs (plus VAT)			
	Opposed orders	£1,000 - £2,000 plus advertising costs (plus VAT)			
	Temporary closures	£500.00 plus advertising costs (plus VAT)			
	Extending a Temporary closure & submission to Secretary of State	<b>New for 2014/15</b>			<b>£50 per hour + Advertising costs + VAT (minimum charge £250)</b>
Legal charges	Per hour	80-140	OOS	80-140	No change
Copy / Inspection of Deeds or Documents (held in secure storage)	Per document	37.50	7.50	45.00	
Section 106 agreements	Per hour	£80-£140 per hour (Minimum £160)			
Certification of a document	Per document	4.17	0.83	5.00	
Supply data to:	Non Public Body	40.00	8.00	48.00	
<b>Miscellaneous</b>		<b>NET (£)</b>	<b>VAT (£)</b>	<b>GROSS (£)</b>	<b>GROSS (£)</b>
Creation of maps for external bodies (GIS)	Fixed cost based on half day	41.67	8.33	50.00	No change
	Hourly rate above half day	16.67	3.33	20.00	
Ranger/Officer's fees (if presence required on site)		Minimum fee is £150 per 1/2 day inclusive of VAT (charges to include travelling time). The fee may be increased to cover additional demands.			No Change
Filming Charges: Location Fees for Stills		Minimum £100 (plus VAT)			
Filming Charges: Location Fees for Film		See below			No Change
Educational, students, or films that are promoting NPA messages*		FREE OF CHARGE			No change
Small commercial films*		500.00	100.00	600.00	
Use of car parks (per 24 hour period)*	Low season	150.00	30.00	180.00	
	High season	300.00	60.00	360.00	
Television/large scale advertising campaigns*	Set fee	1000.00	200.00	1,200.00	
	Officer time if more than 1 day required	Per half day rate as above			
Feature films*	Set fee plus officer time based on half day rate	2500.00	500.00	3,000.00	
*Legal Charges	Per hour	£80-£140 per hour			No change

**DARTMOOR NATIONAL PARK AUTHORITY  
FEES AND CHARGES 2014/15**

Description of Charges Levied (or Donations suggested)	Unit	2013/14 Rates (VAT @ 20%) £			Proposed Rates 2014/15 (VAT @ 20%)
		NET (£)	VAT (£)	GROSS (£)	GROSS (£)
<b>Miscellaneous</b>					
Gateway Repair	Per Gateway	20.50	4.10	24.60	No change
	Drilling/Glueing per fixing	5.00	1.00	6.00	
	Fittings	5.00	1.00	6.00	
Gateposts	Repair per post - £20.50 + VAT or as individually if a lot of work involved	20.50	4.10	24.60	No change
	Replacement - from £50.00 + VAT	100.00	20.00	120.00	
Stonewalling courses	Per person per 5 day course	220.00	EXE	220.00	No change
Hedgelaying courses	Per person per 2 day course	120.00	EXE	120.00	No change

DARTMOOR NATIONAL PARK PLANNING AUTHORITY

10 January 2014

**TREE PRESERVATION ORDERS AND SECTION 211 NOTIFICATIONS  
(WORKS TO TREES IN CONSERVATION AREAS)  
DETERMINED UNDER DELEGATED POWERS**

Report of the Trees and Landscape Officer

Recommendation : **That the decisions be noted.**

**TREE PRESERVATION ORDER APPLICATIONS**

**Teignbridge**

**Ref: 13/0036**

**89 East Street, Ashburton**

**SX 7593 7012**

Application to reduce the height of a group of beech, ash, sycamore and sweet chestnut by 3-4m. The trees are restricting light into neighbouring properties. Consent was granted subject to the following conditions.

1. Five working days' notice to be given to the Authority prior to the commencement of approved works.
2. All works are carried out in accordance with British standard 3998:2010 Tree Work-Recommendations.

**SECTION 211 NOTICES**

**Teignbridge**

**Ref: 13/0031**

**Greenbank, North Bovey**

**SX 7417 8379**

Notification to fell a group of fir and willow and crown lift two sycamore trees. The works will have minimal impact on the character of the Conservation Area.

A Tree Preservation Order has not been made.

**Ref: 13/0032**

**The Old Rectory, Widecombe**

**SX 7181 7666**

Notification to reduce the crown of a beech tree by 4m. A large stem has failed and the works will help stabilize and balance the crown

A Tree Preservation Order has not been made.

**Ref: 13/0035**

**89 East Street, Ashburton**

**SX 7589 7012**

Notification to fell two sycamore trees. The trees are in very poor condition.

A Tree Preservation Order has not been made.

**West Devon**

**Ref: 13/0033**

**Townend House, Lydford**

**SX 5121 8505**

Notification to fell two ash, coppice a group of holly, re-pollard an ash and crown lift a sycamore and ash. The trees are blocking a path and restricting light into a neighbouring property.

A Tree Preservation Order has not been made.

**Ref: 13/0034**

**The Hey, Throwleigh**

**SX 6679 9068**

Notification to fell five holly trees. The felling will have minimal impact on the character of the Conservation Area.

A Tree Preservation Order has not been made.

**Ref: 13/0037**

**Pomeroys, Lydford**

**SX 5132 8507**

Notification to fell a Douglas fir and a group of nine larch. The trees are growing in a large woodland and the felling will have minimal impact on the character of the Conservation Area.

A Tree Preservation Order has not been made.

**BRIAN BEASLEY**