



NPA/23/022

DARTMOOR NATIONAL PARK AUTHORITY

1 December 2023

Countryside and Rights Of Way Act 2000 – Statutory Review Of West Dart River Valley Dog Restriction

Report of the Recreation Strategy Development Officer

Recommendation: That Members approve the continuation of the current access restriction requiring dogs to be kept on a lead along ecologically sensitive areas of the West Dart River Valley (assistance dogs are exempt from the restriction).

1 Background

- 1.1 This report sets out the findings of a statutory review of the current restriction on dogs in the West Dart River Valley.
- 1.2 The Countryside and Rights of Way Act 2000 (CROW) introduced a new right of access on foot to land designated as mountain, moor, heath, down and registered common land and thus mapped as “open country”.
- 1.3 The West Dart River Valley was mapped as open country and in 2005 Dartmoor National Park Authority (as the “relevant authority”) resolved to introduce a direction under section 26 CROW for nature conservation reasons. The direction imposed a restriction on access and excluded taking dogs onto the parcels of land shaded red on the accompanying map and applies all year round. Assistance dogs are exempt from the restriction.
- 1.4 Under CROW, the Authority is required to review long-term restrictions on access within five years of commencement or subsequent review. The first review was undertaken in 2008, with subsequent reviews taking place in 2013 and 2018. By the 2013 review, concerns were growing from some of the interested parties as to whether the restriction to exclude dogs from the West Dart River Valley was still appropriate. The findings of that review were reported to the Authority in December 2013, where Members resolved that the current restriction should be maintained for a further five year period. The latest review was completed in November 2018.
- 1.5 During the 2018 review, the Authority considered whether the restriction was still necessary for its original purpose and if so, whether the extent and nature of the restriction was still relevant. In doing so, the Authority was required to consider the least restrictive option necessary to fulfil its original purpose. After the access and

ecology site surveys and an initial consultation with statutory consultees, it was agreed that the existing restriction to permanently exclude dogs was overly restrictive, excessive and could not be justified. It was considered that it was not the least restrictive option available that would still protect wildlife. The Authority agreed to vary the restriction to 'dogs on leads at all times' with a restriction end date of 12 December 2024 (review date 12 December 2023).

2 Site Context - Nature Conservation Interest

- 2.1 The West Dart River Valley between Two Bridges and Hexworthy is a particularly rich area for wildlife. This stretch of the river valley provides important spawning grounds for Atlantic salmon and an important habitat for otters.
- 2.2 The West Dart is one of many watercourses used by migratory Atlantic salmon, radiating from the Dartmoor SAC. There are a range of factors currently adversely affecting salmon numbers, most of which are external to Dartmoor. Whilst the overall status of Salmon in the river Dart catchment (and other Dartmoor catchments in the Dartmoor SAC) is unfavourable, the ecological assessment in the context of West Dart is that the current habitat, land use and levels of recreation activity are not contributing to this unfavourable status. Flow, water quality, riparian habitat, spawning gravels and fish passage in the West Dart consultation area are subjectively considered favourable.
- 2.3 Research by the Environment Agency in 2007 shows that since the 1980s, otter populations have increased significantly, with the West Country now having a healthy population of otters. Numbers are continuing to grow due to decreasing levels of toxic substances in the environment, with Devon and Cornwall being particularly important counties in terms of having the highest of otters in the region. The Environment Agency attributes the increasing population in the region to:
- Very high water quality
 - Low levels of disturbance
 - Extensive semi-natural habitat providing cover along river banks
 - Numerous wetlands in the headwaters of many streams
 - Predominantly sheep and cattle grazing, rather than arable farming
 - Good food supply (coarse fish, eels and salmonids)
- 2.4 Surveying otters can be difficult and they are rarely spotted in the wild due largely to their nocturnal habits. Walk through surveys have been undertaken by the Authority's Ecologist in 2018 and more recently in October 2023 to assess the suitability of habitat for otters, signs of otter presence and activity, other notable wildlife present and evidence of human activity (e.g., well-worn paths, litter). The survey report, along with consideration of previous surveys, concluded that otters remain present and active within the West Dart River Valley and that there is abundant otter habitat. It is considered that the river valley continues to support a stable population of breeding otters.

3 Site Context - Access Provision and Patterns of Use

- 3.1 The majority of the land shown on the site plan at Appendix 1 is open country and registered Common land. The parcels of access land where the restriction is in place are shaded red, with public rights of way shown as pink broken lines. There

are three public bridleways crossing the river valley within the restriction zone: one bridge below Bachelor's Hall, another at the Dartmoor Training Centre and a ford beside the stepping stones at the confluence with the River Swincombe. The CROW restriction on dogs does not apply to users of public rights of way.

- 3.2 Access management measures have sought to facilitate open access to parcels of access land along the West Dart, whilst avoiding trespass onto areas which were not mapped and offer a quiet haven for wildlife. CROW information boards were erected at key access points along the valley providing consistent access and conservation messages for the public. These are now in need of updating and replacing.
- 3.3 Monitoring of public use of the river valley was initially undertaken over two periods during the first two years of the CROW restriction period in 2006 and 2007 by National Park Rangers and a Voluntary Warden. The survey methodology used was to observe the level of use and to assess the effectiveness of the restriction. People counts were undertaken to observe people both on and off the three public rights of way within the restricted area and if dogs were on or off the lead on CROW land. More recent evidence of public use has been anecdotal and submitted via local farm tenants and National Park Rangers.
- 3.4 The on-site surveys, historic data from the people counter and more recent anecdotal evidence suggests a continued relatively low level of use of the river valley by the public. The initial surveys showed that the vast majority of users keep to the public rights of way. This may be due to several factors including the fragmented nature of access land parcels, combined with difficult ground conditions along some parts of the valley.

4 The Review Process

- 4.1 As required by Regulations and guidance issued by Natural England, the Authority has undertaken a public consultation to seek views on the existing direction and on any proposals to amend, vary or revoke a long term restriction.
- 4.2 A consultation was held with statutory consultees and the general public which sought views on the existing direction which requires dogs to be kept on leads at all times in the West Dart River Valley (see map). During the consultation period, we received responses from the following consultees:
 - Open Spaces Society
 - Ramblers
 - Kennel Club
 - Dartmoor Access Forum
 - Tenants of Tor Royal Farm
 - Tenants of Moorlands Farm
- 4.3 Members of the Dartmoor Access Forum (DAF) undertook a site visit in June 2023 and members were unanimous in supporting an extension (see below)..

5 Summary of Consultee Comments

- 5.1 All respondents expressed the view that the current restriction to keep dogs on leads, at all times, is still the most appropriate level of restriction. A contribution from the Ramblers Association queried the need for any restriction given the limited public use of the site but confirmed that they are content with maintenance of the restriction until the next review period. The Kennel Club queried the aerial extent of the restriction and suggested that the area could be reduced to a narrow bufferzone either side of the river. Officers have confirmed that the aerial extent is largely determined by land parcels and management of interpretation at access points. Marking the buffer zone would not be practicable or cost effective given the extent of the restriction area and fencing that would be necessary to manage such a zone. Furthermore, the ecologist for the relevant authority (DNPA) suggested that otter laying upsites and dens/holts can extend beyond narrow buffer zones either side of the river, and therefore would not advise reducing the current restriction zone to a narrow riverside buffer zone.
- 5.2 The landowner and tenants support maintaining the existing restriction. The Dartmoor Access Forum members were also unanimous in their support for maintenance of the current restriction. It was noted by Forum members that clear and consistent messaging is critical in providing public education and awareness of the sensitivities of the site, and that any amendment at this time might risk the validity of the messaging.

6 Conclusion

- 6.1 The level of public access shows that the valley remains relatively quiet. The original direction to exclude dogs was introduced in 2005 following conservation advice at the time as a precautionary measure to protect wildlife. Our understanding of the way in which the West Dart River Valley is used by the public since the introduction of the new right of access has greatly improved over recent years. Whilst the West Dart River Valley remains an important area for otter and Atlantic salmon, the more sensitive riverside areas are not well used by the public due to the remote location, difficult terrain and fragmented nature of access land parcels. Those that do use the area tend to keep to the three existing public bridleways which traverse the valley. Public rights of way are not subject to the conditions of the restriction.
- 6.2 The Authority's ecologists have undertaken walk through surveys and have concluded maintaining the current restriction of 'dogs on leads at all times' is likely to provide adequate protection to otter and salmon populations while limiting disruption to public access. There is no evidence to suggest that the variation of the restriction in 2018 has had any detrimental impact on Atlantic salmon and otter populations at the site.
- 6.3 To prevent disturbance, various mitigation measures are proposed including; updating site access information at the main access points with key messages for dog owners; no active promotion of the West Dart River Valley so it remains a quiet undisturbed area of the National Park; and continued monitoring to assess levels and patterns of visitor activity.

- 6.4 Officers consider maintenance of the restriction requiring dogs to be kept on leads at all times within the relevant area as the least restrictive approach for public access whilst ensuring sensitive wildlife is adequately protected.

7 Financial Implications

- 7.1 If the current restriction is maintained it will be necessary to refresh signage at key access points which can be met from existing access budgets.

8 Equality and Sustainability Impact Assessment

- 8.1 An equality and sustainability impact assessment has been undertaken as part of the preparation of this report. Assistance dogs used by members of the public are exempt from the exclusion and no other adverse impacts were identified.

JAMES WRIGHT

Background Papers

Dartmoor National Park Committee Report NPA/05/021
Dartmoor National Park Committee Report NPA/08/025
Dartmoor National Park Committee Report NPA/08/082
Dartmoor National Park Committee Report NPA/ August 2013
Dartmoor National Park Committee Report NPA/18/038

Attachments: Appendix 1 – Plan showing West Dart River Valley and dog exclusion area

20231201 JW West Dart CRoW Restriction Review



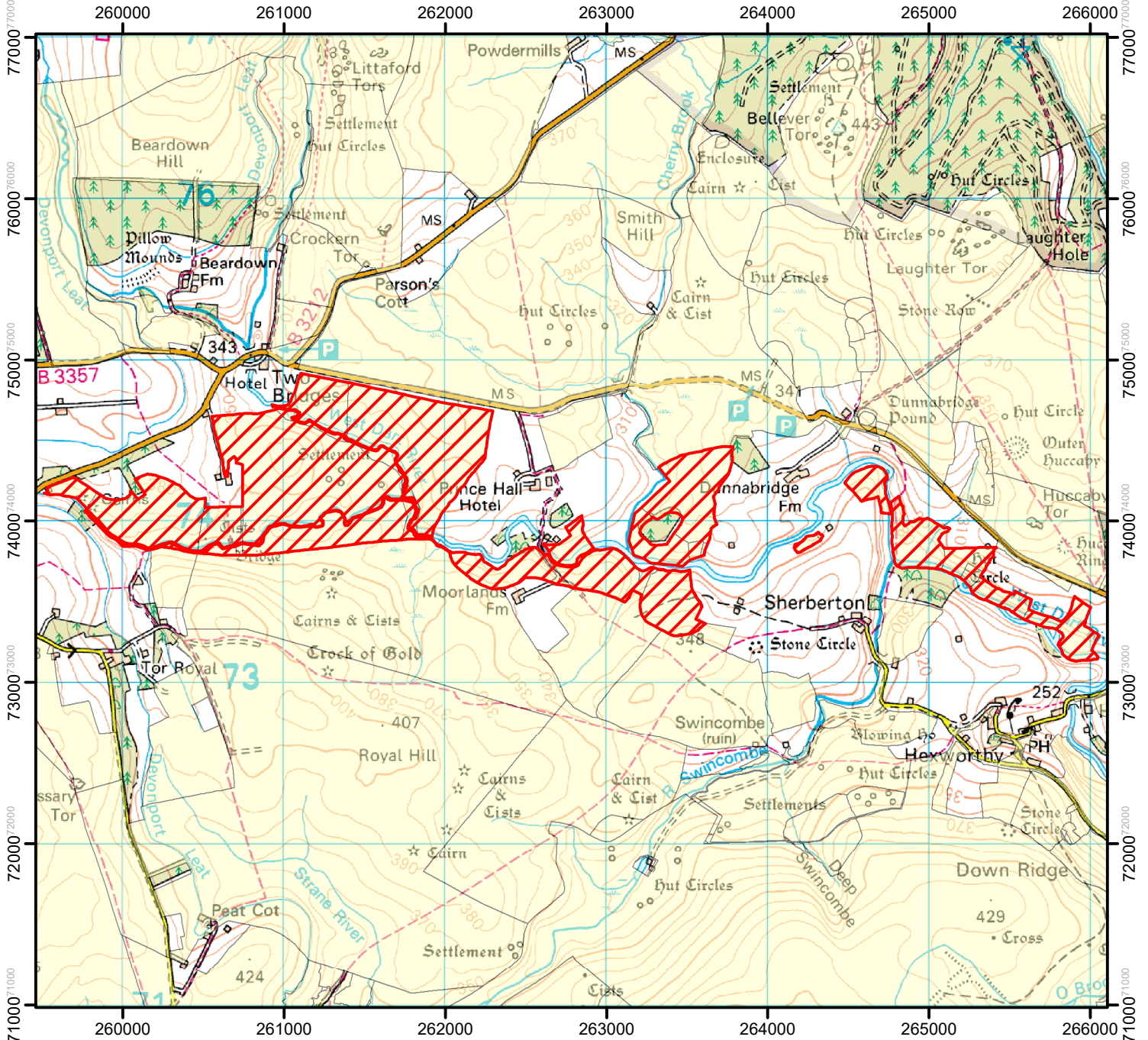
CROW Open Access: consultation on review of restriction.

Please see accompanying notice.

This does not affect Public Rights of Way.

Consultation end date: 15 November 2023

Case Number: 2005050806



0 1,000 2,000 Metres

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CROW Consultation

CROW Access Land

For more information call the Open Access Contact Centre on 0300 060 2091 or visit our website at www.gov.uk/right-of-way-open-access-land/use-your-right-to-roam



NPA/23/023

DARTMOOR NATIONAL PARK AUTHORITY

1 December 2023

Housing Supplementary Planning Document (SPD)

Report of the Acting Head of Forward Planning and Economy

Recommendation: **That Members:**

- (i) **Note the conclusion of the SA/SEA Screening Assessment and the contents of the Statement of Consultation; and**
- (ii) **Agree to adopt the Housing SPD, and delegate authority to the Chief Executive (National Park Officer) in consultation with the Chair, to make minor changes to the document if considered necessary prior to publication.**

1. Introduction

1.1. At the Authority meeting on the 6 January 2023, Members approved the Draft Housing Supplementary Planning Document (SPD) for a period of public consultation. The SPD responds to a need, identified during the preparation and examination of the Local Plan, to provide further detail and support the implementation of the housing policies. The purpose of the Housing Supplementary Planning Document (SPD) is therefore to:

- provide additional guidance to the housing policies in the Local Plan;
- to help applicants bring forward proposals which are good for Dartmoor and its communities;
- to help people consider and comment on applications; and
- to help the Authority make robust and consistent decisions.

2. National Policy Framework

2.1. National Planning Practice Guidance states: 'Supplementary planning documents (SPDs) should build upon and provide more detailed advice or guidance on policies in an adopted local plan. As they do not form part of the development plan, they cannot introduce new planning policies into the development plan. They are however a material consideration in decision-making... Regulations 11 to 16 of the Town and Country Planning (Local Planning) (England) Regulations 2012 set out the requirements for producing Supplementary Planning Documents.'

2.2. Members may be aware that the Levelling-up and Regeneration Act 2023 includes a raft of planning policy reforms, including introducing a requirement for new style Local

Plans and removing SPDs as a plan making tool. The 2023 Act introduces new legislation which allows for creation of Supplementary Plans. Supplementary Plans are independently examined and, unlike SPDs, have the full weight of policy. Supplementary Plans are intended to address site-specific needs or opportunities which require a new planning framework to be prepared quickly (like a new regeneration opportunity), or to act as a vehicle for setting out authority-wide or other design codes.

- 2.3. In response to consultation on these proposals, the Government have set out transitional arrangements that mean SPDs will continue to have effect until the point at which the Authority is required to have adopted a new style Local Plan. Current proposals set that plan preparation for a new style Local Plan should start when the new system comes into force and the existing Local Plan is more than 5 years old. For Dartmoor this would be December 2026. The proposals set out that a new style Local Plan should take 30 months to prepare and adopt. The Housing SPD will therefore continue to have effect until around June 2028, but could be earlier if plan-preparation starts earlier. At this point the current Government proposals are that the SPD will automatically cease to have effect, although regulation implementing this has not yet been drafted.

3. Preparation and consultation on the SPD

- 3.1. Preparation of the SPD started in Spring 2022 and included research, and discussion with specific stakeholders, with the Joint Advisory Committee (JAC) on housing, and the Planning and Sustainable Development Working Panel.
- 3.2. A statement of consultation is appended to this report and provides full details on the consultation process undertaken. In summary, the consultation opened on 6th February and closed on 27 March 2023. Engagement as part of the consultation procedure included:
 - Email consultation with Forward Planning’s policy consultee list, which includes a broad range of around 400 statutory and non-statutory consultees with an interest in Dartmoor
 - Dartmoor homepage website link directly to the consultation, supported by various other links throughout the Dartmoor website, including the planning homepage (see Figure 1.1)
 - Social media publicity throughout the consultation via Twitter and Facebook (see Figure 1.1)
 - 2 virtual drop-in events held via Teams, for the general public and Town and Parish Councils
 - A further drop-in event was offered to agents but did not run because of lack of interest
 - Various ‘deep-dive’ meetings with officers, specialists and other internal and external stakeholders
- 3.3. The consultation process attracted a relatively limited response which is not unexpected given its focused nature, generally from specialist stakeholders working in housing. Comments were nevertheless high quality and generally focussed on specific sections of the housing delivery pathway.
- 3.4. The key issues raised at consultation and how these have been responded to are detailed in the Statement of Consultation. In summary:

- There was strong general support for the document, its structure and clarity
- Minimum requirements for Housing Needs Assessments were strongly supported, additions have been made in response to:
 - Encouraging surveys to pick up on other community housing needs, such as supported living and adaptation requirements
 - The need to ensure displaced residents are contacted and better represented in the future
- There were strong views that social rent continues to be the preferred housing tenure to meet Dartmoor's needs.
- There was opposition to DNPA's policy position that affordable housing should be secured in perpetuity, this is a matter of national policy and was not subject to amendment
- A number of Registered Providers opposed restricted staircasing on shared ownership homes, this is Homes England policy for rural areas where affordable housing is hard to replace, and is still supported by some rural focused providers.
- Text has been added to acknowledge and support the work of Registered Providers and Housing Enablers in delivering affordable housing on Dartmoor, and their wider support for Community Land Trusts.
- Further to internal and external consultation a series of small amendments were proposed to ensure rural workers' guidance fully reflected Local Plan policy and was clear and unambiguous for practitioners

4. SA/SEA Screening Statement

- 4.1. As part of the consultation DNPA produced an SA/SEA Scoping Assessment which concluded the SPD did not require SEA. It is required to consult Historic England, Natural England and the Environment Agency for their views on the conclusion and, in response, all these organisations concluded they agreed with the conclusion, no significant environment impact.

5. Financial implications

- 5.1. The adoption of the SPD could entail minor printing costs anticipated in the 2022/23 budget. The implementation of the SPD has no financial implications for the Authority, it should improve efficiency and certainty of decision making.

6. Conclusion

- 6.1. The Housing SPD will be important guidance as part of the suite of documents which inform planning decisions in the National Park. 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 different types of housing in the National Park. An adopted SPD would be a material consideration when dealing with planning applications and have weight in the event of a refusal and subsequent appeal.
- 6.2. Members are asked to note the SA/SEA and Statement of Consultation, and to agree to adopt the Housing SPD. On adoption an Adoption Statement will be published and circulated to consultees.

ALEX GANDY

Attachments: **Appendix 1** - Final Housing Supplementary Planning Document (SPD) with track changes
 Appendix 2 - Statement of Consultation
 Appendix 3 – SA/SEA Screening Statement



Housing

Supplementary Planning Document

Dartmoor National Park Authority

December 2023



Deleted: CONSULTATION DRAFT¶
February 2023

Deleted: ¶

Deleted: Consultation¶

This is Dartmoor National Park Authority's draft Housing Supplementary Planning Document (SPD). The SPD is published for a period of 6 weeks public consultation. The introduction, below, explains in more detail the purpose of this document. ¶

How can I comment?¶

You can comment by completing the [online comment form](#) and submitting this by email to forwardplanning@dartmoor.gov.uk, or in writing to: Forward Planning, Dartmoor National Park Authority, Parke, Bovey Tracey, Devon, TQ13 9JQ¶
Comments must be received by 5pm on the 27th of March 2023¶

What happens to my comments?¶

We will read and consider all comments we receive. As this is a Supplementary Planning Document, and not a development plan document (such as a local plan), there is no formal examination process. However, we will take all comments into consideration and make appropriate revisions. We will prepare a document which summarises the comments received and the changes we have made before the document is adopted.¶

The SPD is guidance which provides detailed advice to support the Local Plan. If you wish to comment it may be helpful to bear in mind the SPD:¶

is a planning document, and can only cover material planning considerations;¶
sits below the Local Plan, it must be consistent with the Local Plan and cannot change adopted policies; and¶
cannot introduce new policies, it contains detailed advice and guidance to inform planning applications.¶

When will it be adopted?¶

After the consultation closes, we will consider all comments and make appropriate changes to the document to improve its robustness, clarity and consistency with the Local Plan. It will then be considered for adoption at a meeting of the Authority in spring 2023. You can find out more on how we make decisions on our web site.¶

Once it is adopted, this SPD will be a material consideration when we make decisions on planning applications in Dartmoor National Park. ¶

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1 Introduction

1.1.1 This Housing Supplementary Planning Document (SPD) provides guidance to support the delivery of housing in Dartmoor National Park. This SPD

- provides detailed guidance on how to use Local Plan housing policies;
- clarifies the Authority's expectations of housing development in Dartmoor National Park;
- helps applicants make successful and streamlined planning applications which are good for Dartmoor and its communities; and
- helps ensure the Authority makes consistent, robust and streamlined decisions on planning applications.

1.1.2 This Housing SPD sits alongside the Dartmoor Local Plan 2018 – 2036, adopted in 2021 and which comprises the 'Development Plan' for the National Park. Together with the Local Plan, this SPD will form a material planning consideration when we decide planning applications. It replaces the 2014 Affordable Housing SPD.



1.1.3 Dartmoor National Park Authority is the Local Planning Authority for the National Park and responsible for determining planning applications on Dartmoor. The Housing Authority functions for the National Park are undertaken by the relevant District Councils (Teignbridge, South Hams, West Devon and Mid-Devon District Councils).

1.1.4 We do all we can to ensure policy documents, such as this SPD and the Local Plan, are clear and easy to understand, but they do have to be technical documents. To help those without a background in planning, we have developed quick guides to common topic areas. You can find these on our web site.

2 Bringing Forward housing sites

- 2.1.1** National and Local Plan policy requires new housing development in Dartmoor National Park to be focused on the delivery of affordable homes to meet the needs of local people. To meet this aim the Dartmoor Local Plan 2018-2036 makes provision for at least 1,125 homes (65 each year) to be delivered across the National Park during the plan period.
- 2.1.2** The following provides step-by-step guidance for bringing forward housing sites in the National Park. Following these steps helps encourage applicants to take a sequential approach to planning considerations, and helps avoid abortive work. We will expect applicants to have regard to this process when proposing housing development. Communities may also use this to understand how development in their areas should come forwards.

STAGE GUIDANCE

1

Identify relevant housing policies

Policies set opportunities for new housing development in two ways, by:

- **site location:** the location of the site relative to a classified settlement (identified in Strategic Policy 1.3). A site's locations will be described as:
 - **within a settlement:** inside a settlement
 - **adjoining a settlement:** outside a settlement, abutting or touching its edge
 - **well related:** outside a settlement, but within reasonable safe walking distance, with safe highway access, access to services and utilities
 - **open countryside:** outside a settlement and none of the above
- **housing type:** the type of housing proposed, such as open market, affordable, custom and self-build, rural workers' etc.

REFERENCE

Site Location / Housing Type	Relevant policy
Site location	
Within or adjoining Local Centre	SP 3.3
Within or adjoining Rural Settlement	SP 3.4
Within or adjoining Village and Hamlet	SP 3.5
Allocated site	SP 7.3 to 7.23
Housing Type	
Market or affordable	See above
Custom and self-build	P 3.6
Rural workers housing	P 3.9
Gypsy and traveller	P 3.11

2

Seek pre-application advice

Where resources allow, we always look to provide pre-application advice. We encourage all applicants to seek advice as early as possible. Pre-application advice can help:

- identify the list of surveys, reports, plans etc we will require at submission from our [Local Validation List](#);
- help you understand how planning policies and other requirements affect your proposals;
- highlight any constraints which may require further consultation or specialist survey and/or mitigation;
- highlight what conditions and/or s106 obligations may be required as part of any planning approval.

3

Establish if a housing need exists

On Dartmoor all but the smallest housing scheme will need to be supported by a Housing Needs Assessment in order to establish that the development is acceptable in principle (i.e. before consideration of detailed design).

Local Plan policy sets out the evidence required to demonstrate a housing need exists. Housing need evidence falls into 3 categories:

- **Housing register**
- **Housing Needs Assessment:** a commissioned assessment of homes needed in an area
- **Bespoke assessment:** a specific assessment establishing an individual's or group's housing need and/or eligibility, e.g. an appraisal for agricultural worker's accommodation, or confirmation an individual meets affordable housing criteria.

Housing sites	Evidence required to demonstrate need
Affordable/market Housing site of: <ul style="list-style-type: none"> • ≤5 dwellings within Local Centre • ≤3 dwellings within Rural Settlement or Village and Hamlet, on previously developed land 	Housing Register
Allocated site	Housing Needs Assessment
Affordable/market Housing site of: <ul style="list-style-type: none"> • ≥6 dwellings within Local Centre • ≥4 dwellings with Rural Settlement or Village and Hamlet • Rural exception site 	
Local needs custom and self-build housing	Applicant(s) confirmed as eligible custom or self-builder(s)
Rural workers housing	Appraisal of essential need for a rural worker
Gypsy and Traveller	Gypsy and traveller Needs Assessment
Low impact residential	Applicant(s) confirmed as eligible person(s)

4
Identify site constraints

Site constraints are environmental, infrastructure or social factors that may restrict or prevent development of a site, for example flooding, safe access or protected biodiversity. Most sites will have numerous constraints and each will need full consideration, potentially with need for specialist input. It may be possible to resolve some constraints through design and siting, others may be unresolvable and will mean the site isn't suitable for development. Pre-application advice from us can help you identify constraints and advise how these are addressed.

Allocated sites have undergone strategic assessment and should not have unresolvable constraints, but site constraints will still need to be addressed through the planning application.

5
Review business case and early design

By this stage it should be clear whether the site has in principle policy support, there is a need for the development, and on-site constraints are resolvable. The developer will now need to finalise their business case and decide whether to proceed. This should be with awareness of all build costs and policy requirements, including:

- current build costs, reflecting Dartmoor's high design standards [and the Design Guide](#);
- percentage affordable / local needs housing policy requires;
- a site yield and tenure which reflects the need;
- all house sizes not significantly exceeding nationally described space standards
- all properties meeting M4(2) accessibility standards;
- delivery of biodiversity enhancements or net gain;
- provision of public open space and sports facilities;
- EVCP and parking standards;

Constraint	Relevant policy
Natural and Historic Environment	
Landscape character	SP2.1
Geodiversity and Biodiversity	SP2.2
Moorland, heathland and woodland of conservation importance	SP2.4
Flooding and the water environment	SP2.5
Tranquillity and dark night skies	SP2.6
Heritage assets	SP2.7 & 2.8
Social and infrastructure constraints	
Amenity and Highway Safety	P1.7
Community services and facilities	P4.1
Public open space and sports facilities	P4.2
Access network	SP4.8
Policy requirement	Relevant policy
Design standards	SP1.5
Biodiversity enhancements and net gain	SP2.3
Affordable housing requirements	SP3.3 - 3.6
House sizes and accessibility	SP3.2
Public open space and sports facilities	SP4.2
Parking standards	P4.4
Electric vehicle charging points	P4.5

6

**Community
engagement**

Community engagement helps ensure those affected by proposals have a genuine opportunity to have constructive ideas and opinions taken onboard. Engagement works best when it is an ongoing iterative process, and individual events should consider the need for this. Good quality engagement can:

- Demonstrate the developer has understood local issues
- Reduce resistance in the local community
- Show how community ideas have shaped the proposals
- Further the community's understanding of planning, policy and development on Dartmoor as a whole

7

**Final Design
and
submission**

The above stages should provide the confidence to complete the final design and submit this as a detailed planning application, together with the necessary supporting documents.

Upon receipt of a complete application, we will validate the application, consult with the community and specialists and seek to determine the application in accordance with policy within the statutory timeframes of 8 weeks for a minor application and 13 weeks for a major application.

3 Defining and Identifying Local Housing Need

3.1 Defining Housing Need

3.1.1 National and Local policies require that development in our National Parks is focused upon protecting their Special Qualities and meeting the needs of local communities. The Dartmoor Local Plan does not, therefore, support speculative housing development, and housing development on Dartmoor is generally only permitted where it is delivering affordable and other identified local housing needs.

3.1.2 The Local Plan contains policies which enable development opportunities to meet the need for the following types of housing:

- **Local affordable:** a local household that has been assessed and placed on the housing register (bands A-D), or is considered to be unable to afford open market prices to rent or purchase a property suitable for their needs.
- **Local needs custom and self-build:** a local household wanting to self or custom a home for them to occupy as their principal (**main**) residence
- **Rural workers:** a home to enable an essential rural worker on a land-based enterprise to live at their place of work and manage activities day and night which might threaten the stability and viability of the enterprise
- **Gypsies and travellers:** members of these communities needing accommodation to continue their traditional and nomadic way of life.
- **Low impact residential:** people genuinely seeking to live in a far more sustainable way than considered normal for the 21st Century and delivering significant environmental enhancement.

3.1.3 In the National Park policies do not generally support other types of housing alone, but they are used to meet Local Plan objectives. For example, a key role of market housing is to cross-subsidise (pay for) the delivery of affordable housing. There may also be other circumstances where a site progresses without meeting identified housing needs due to vacant building credit, or poor viability on a site which is delivering clear environmental enhancement or community benefit.

3.2 Identifying Housing Need

3.2.1 The Dartmoor Local Plan only allows new housing to come forwards where evidence demonstrates there is an identified need. Housing need evidence falls into 3 categories:

- **Housing register:** the local register, maintained by Devon Home Choice¹, identifying people most in need of affordable housing
- **Housing Needs Assessment:** a commissioned assessment of the number of affordable homes needed in an area (see section 3.5 for further guidance)
- **Bespoke assessment:** a specific assessment establishing an individual's or group's housing need and/or eligibility, e.g. an appraisal for agricultural worker's accommodation, or confirmation an individual meets affordable housing criteria.

3.2.2 Table 3.1 summarises the type of evidence that Local Plan policy requires you provide to demonstrate there is a need for the proposed housing development.

¹ <https://www.devonhomechoice.com/>

Table 3.1 housing need evidence required for different development types

Housing sites	Policy	Evidence required to demonstrate need
Windfall site: <ul style="list-style-type: none"> • ≤5 dwellings within Local Centre; or • ≤3 dwellings within Rural Settlement or Village and Hamlet, on previously developed land 	SP3.1	Housing Register
Windfall site: <ul style="list-style-type: none"> • ≥6 dwellings within a Local Centre; or • ≥4 dwellings with Rural Settlement or Village and Hamlet; or Rural exception site	SP3.1	Housing Needs Assessment
Allocated site	SP3.1	Housing Needs Assessment
Local needs custom and self-build housing	SP3.6	Applicant(s) confirmed as eligible custom or self-builder(s)
Rural workers' housing	P3.9	Appraisal demonstrating rural land-based business has essential need for a rural worker
Gypsy and Traveller	P3.11	Gypsy and traveller Accommodation Assessment
Low impact residential	P3.12	Applicant(s) confirmed as eligible person(s)

3.3 Geography of affordable housing need

3.3.1 For local needs and affordable housing development, the geographic area from which housing need can be identified is limited. Local Plan Strategic Policy 3.1 defines this as follows:

Development within a Local Centre, but not Princetown²: parish where the development is taking place and adjoining parishes which are wholly or substantially within the National Park

Development within a Rural Settlement, and Princetown: parish where the development is taking place and adjoining rural parishes² which are wholly or substantially within the National Park

Development within a Village and Hamlet: parish where the development is taking place and any adjoining rural parishes as agreed with that parish

3.3.2 This approach does not apply to specialist housing types, such as rural workers', Gypsy and traveller or low impact residential housing. These housing types have specialist methods for determining whether a need exists, which are discussed in the relevant sections for this housing type.

² Rural parishes are civil parishes which do not include a Local Centre or larger settlement. However, because of its deeply rural nature and historic lack of housing need, Dartmoor Forest parish, containing Princetown Local Centre, is considered a rural parish.

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- 3.3.3** Maps of parish boundaries are available from central Government³. The National Park boundary does not align with parish boundaries and some will fall partly inside and outside the National Park. For the purposes of identifying housing need Local Plan Policy 3.1 includes parishes which are wholly or substantially located within the National Park. Figure 3.1 clarifies the parishes considered to be wholly or substantially within the National Park.
- 3.3.4** Where evidence of housing need is being produced, evidence of need can be drawn from all parishes in the relevant geographic area (see para 3.3.1), some parishes within that area, or just from the parish where the development is taking place. Need should be studied at the parish level, not over smaller areas. Where an assessment covers more than one parish the report should include a breakdown by parish, so that the geographic spread of the need can be understood and inform decision making around where that need is best met.
- 3.3.5** In some cases, a need may be identified in a parish, which may be met in more than one settlement. If this is the case, it is important not to double count this need. In considering where a housing need should be met, it is important to recognise what the Local Plan is seeking to achieve, including:
- the delivery of homes to meet the needs of local people;
 - enabling opportunities for communities to thrive; and
 - supporting development in sustainable locations.
- 3.3.6** Where housing need could be met in more than one settlement and/or parish, community and place-making should be prioritised over a 'race' to deliver an identified need. The Authority will normally require that HNA's focus firstly on the settlement and then the parish of provision, that the majority of need is identified within the parish of provision and that delivery respects:
- any preference expressed by those in housing need (typically this will form a question within the housing needs assessment);
 - local desire for community vitality (i.e. a local desire for development to sustain their vibrancy and support for services and facilities, rather than be lost to other settlements); and
 - development proposals actively being pursued at that time (i.e. does not seek to 'use up' the need from schemes likely to meet that need in a certain settlement).
- 3.3.7** In larger settlements located outside the National Park but within a parish considered substantially within Dartmoor (e.g. Liverton/Coldeast, Chudleigh Knighton, Buckland Monachorum), identified housing need should be met outside the National Park.

³ <https://geoportal.statistics.gov.uk/maps/ons::parish-december-2016-boundaries/>

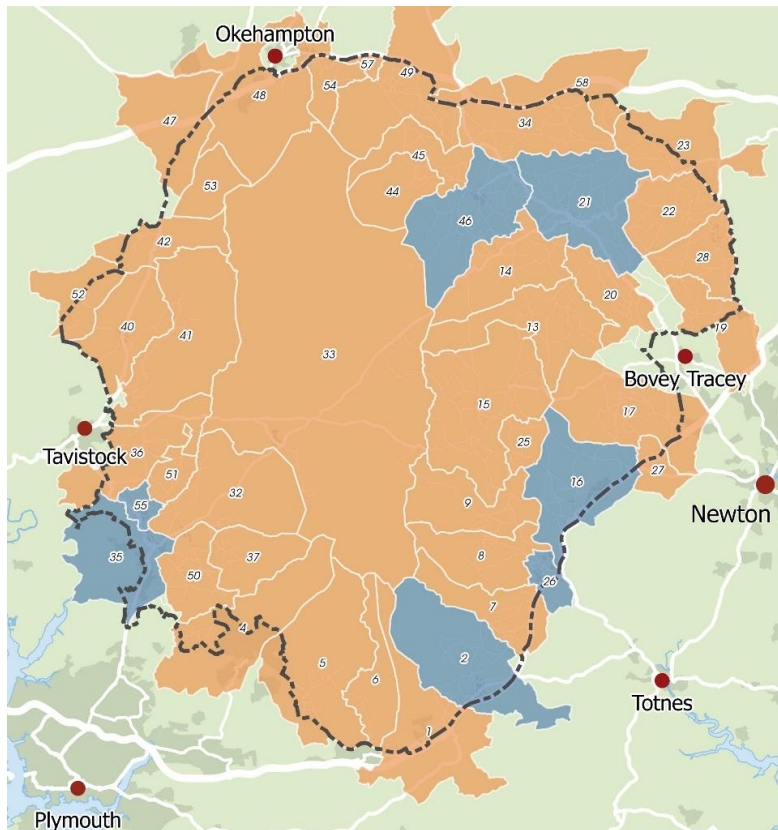


Figure 3.1 Summary parish map

Legend

- National Park Boundary
- Key settlements outside National Park
- Road Network
- Parish
- Rural Parish
- Urban Areas and Quarries

No.	Parish	No.	Parish
1	Ugborough	33	Dartmoor Forest
2	South Brent	34	Drewsteignton
4	Shaugh Prior	35	Buckland Monachorum
5	Cornwood	36	Whitchurch
6	Harford	37	Sheepstor
7	Dean Prior	40	Mary Tavy
8	West Buckfastleigh	41	Peter Tavy
9	Holne	42	Lydford
13	Manaton	44	Gidleigh
14	North Bovey	45	Throwleigh
15	<u>Widcombe-in-the-Moor</u>	46	Chagford
16	Ashburton	47	Sourton
17	Ilington	48	<u>Okehampton Hamlets</u>
19	Hennock	49	South Tawton
20	Lustleigh	50	Meavy
21	Moretonhampstead	51	Sampfords Spiney
22	Bridford	52	Brentor
23	Dunsford	53	Lands Common to B+S
25	Buckland in the Moor	54	Belstone
26	Buckfastleigh	55	Horrabridge
27	Bickington	57	Sticklepath
28	Christow	58	Cheriton Bishop
32	Walkhampton		

3.4 Housing Register

- 3.4.1 The Housing Register is a register of individuals that have applied for affordable housing in the relevant area. In the National Park, Devon Home Choice administers the register and advertises homes. Available homes are then allocated by the Housing Association/Housing Authority in line with any requirement for that home, such as a Section 106 Agreement or an allocations plan ([i.e. Local Lettings Plan](#)).
- 3.4.2 The number of people on the register in any given area will provide an indication of housing need. However, on Dartmoor that figure can be inaccurate because Devon Home Choice does not assess whether applicants on the housing register comply with Dartmoor's local eligibility criteria (see Local Plan section 3.3). Affordable homes on Dartmoor are prioritised for occupation by people meeting Dartmoor's local eligibility criteria.
- 3.4.3 Data from the Housing Register can be of use on smaller schemes, where gathering further evidence is not considered proportionate. The Local Plan allows Housing Register data to be used to justify affordable housing need on small windfall sites of 5 dwellings or less in a Local Centre, or 3 dwellings or less in a Rural Settlement or Village and Hamlet (see Table 3.1).
- 3.4.4 Housing Register data is held by the Housing Authority and information from it can be requested from the relevant District Council.

3.5 Housing Needs Assessments

- 3.5.1 A Housing Needs Assessment (HNA), also known as a housing needs survey, is a piece of evidence that provides an indication of how many homes and what types of home are needed by a community. They are based on a survey of a given area which identifies people that meet a set of housing needs criteria, for Dartmoor these criteria are that an applicant:
- is a Local Person⁴;
 - is in housing need⁵; **and**
 - is unable to afford open market prices.
- 3.5.2 Housing Needs Assessments are not an exact science and do not provide a definitive picture of housing need. They are a process that gathers a wide range of relevant data in order to inform a balanced professional judgement on what likely housing needs are. Their results are a snapshot in time for that area, and should not be taken as fixed or absolute.

3.6 Minimum Standards for Housing Needs Assessments (HNAs)

- 3.6.1 An HNA will often be a fundamental starting point for a housing scheme; it is important that it is not rushed or biased, and is carried out independently, professionally, and following best practice. This section describes minimum standards which ensure HNAs are undertaken fairly, robustly and consistently throughout Dartmoor. Officers will uphold these standards and work with housing providers and the Housing Authorities to ensure they are met. Where an HNA does not follow these fundamental principles, this will reduce the weight officers give to surveys in decision making and could result in it being disregarded entirely.
- 3.6.2 The standards are broadly based upon the Rural Housing Alliance's principles and guidance for rural housing needs surveys⁶.

⁴ See definition of Local Person at Local Plan section 3.3

⁵ See Local Plan section 3.4

⁶ [Rural Housing Alliance \(2017\) 'Principles and guidance for rural housing needs surveys'](#)

Principles for Housing Needs Assessments (HNAs)

All HNAs should:

1. provide an objective and evidenced overview of the scale and nature of the full range of housing need in one or more civil parishes
2. Be informed by 'bottom up' primary data, not 'top down' disaggregation of broader housing needs data or projections
3. be independent, balanced and transparent
4. collect data in an open, fair and transparent manner
5. only use secondary data as a source of information or to augment data collected from households which is up to date and relevant to the survey geography
6. anonymise results and ensure confidentiality and data protection statements are clear and correct.
7. engage with the community prior to, during and after the survey - the community is wider than just the Parish Council.
8. write reports in plain English with explanations of how the findings and conclusions are drawn, including any caveats and noting data sources
9. make reports publicly available as early as possible,
10. state the survey's 'shelf-life' and set out any process for updating the data.

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Housing Types

3.6.3 HNAs can use a variety of survey techniques to assess communities for different affordable housing types. Each HNA should be tailored to assess need for suitable housing types with reference to existing data and advice from DNPA and the Housing Authorities. HNAs will typically assess for one or more of the following affordable housing types:

- affordable or social rent;
- intermediate shared ownership;
- intermediate discount market sale;
- older persons downsizing; and
- wheelchair accessible.

They may also seek to identify a need for custom and self-build housing, in conjunction with the Self Build Register. HNAs are not intended to identify market housing needs.

Timing

3.6.4 Recognising that HNAs identify housing need at a point in time, it is important they are undertaken at representative times to maximise their 'shelf life' and future benefit. For this reason HNA's should:

- be undertaken around every 5-10 years and be used to inform whether development is necessary in principle in advance of any detailed proposals being developed; and
- not normally be undertaken following the grant of planning permission for a significant development, whilst such a development is under-construction, or immediately following completion of a development.

3.6.5 Small communities can be susceptible to 'survey fatigue'. Repeat surveying in short succession, or as an attempt to find a different survey outcome is unhelpful and undermines the sincerity of the process. Where a survey is carried out against the advice of DNPA and/or the Housing Authority, its results may be disregarded in decision making.

Community Communication and support

3.6.6 Engagement with the community should be undertaken before, during and after the HNA process. There should be reasonable confidence the community supports the process, and an understanding that a lack of community support could significantly undermine survey results. In particular, emphasis should be put on the community reaching out to households that have recently moved away from the area, ensuring the survey is advertised to local employers or other important groups that may be missed.

Survey Geography

3.6.7 Policy 3.1 sets out the parish geographies from which housing need should be identified. The HNA does not have to cover the whole of this area as this may require survey of multiple parishes at a time. However, HNAs should cover entire parishes, and not individual settlements or small areas. This ensures HNAs provide evidence for an area which aligns with the policy for that settlement. Where a survey includes several parishes, the report should include a breakdown for each parish.

Survey content and distribution

3.6.8 Surveys can be paper-based, web-based or involve direct contact. Surveyors should choose a format which is understood and accessible to the community. In most circumstances a blend of paper and electronic survey is likely to be most successful, and reach a broad section of the community.

3.6.9 The survey content can vary, but for consistency on Dartmoor it should be kept broadly similar. Questions should all seek to establish:

- How many people have a housing need
- The composition and size of their household, their housing requirements and the nature of their connection to the community
- Their current housing circumstances and whether alternative accommodation is required
- What type and size of housing would best meet their needs and budget

Additional questions, such as those seeking to understand the community's appetite for a development in principle or asking residents' opinions on a site may be included. However additional questions must be considered carefully and professionally, as they may impact response rates, or skew results.

Assessing affordability

3.6.10 An assessment may be made of the affordability in the current market and what the respondent is able to afford. The fragility of the data means it is good practice to use a triangulation approach that uses a combination of methods to demonstrate affordability with a clear explanation of how the calculation is made and details of the data used. This approach could look into:

- **Affordability of the current market:** Using housing affordability ratio data for Dartmoor, based on average work-place based earnings and median Dartmoor house prices. This may be supplemented by calculating lower quartile house prices from

recent sales using the Land Registry or one of the commercial residential property sales sites. Care must be taken to ensure the sample is representative and reflects low levels of sales in rural areas, typically one to two years data is required. Average earnings of respondents may also be compared with average earnings across the District.

- **Affordability of respondents:** incomes reported by respondents can be multiplied by an approximate mortgage affordability rate of 3.5 and added to their savings to give an estimate of the house value they are likely to be able to afford. From this it can be established whether they may be able to afford market, intermediate affordable housing or affordable rent prices.
- **Allocation on the housing register:** respondents that have been identified as having a housing need (Bands A-D)

Older persons, adapted and supported housing

3.6.11 HNA's can collect important information on care-specific needs in the community and allow for these needs to be considered when bringing forwards development. These services are under increasing demand, and are forecast to rise with Dartmoor's ageing population.

Rates of return and aggregating data

3.6.12 The response rate should be included in the report. It may be appropriate to use this information to aggregate responses to certain supplementary questions posed by the community. However, caution should be taken to ensure statistical validity remains reasonable and that inherent biases in respondents are taken into account.

3.6.13 Reports should not aggregate data on housing needs. The survey is only able to report on how many people expressed a need and what type and tenure of housing they require. It can be common to have low rates of return. The lack of information on how representative the responses are of the whole population being surveyed means that it is not statistically robust to aggregate housing need data.

Reporting and Assessment

3.6.14 The results should be presented in an independent, balanced and objectively written report. Findings and conclusions should be summarised in plain English so they are easily understood by those not familiar with the process. It should also describe the methodology and report any non-standard approaches.

3.6.15 Where an HNA is undertaken to support a specific planning application, the report should be published in full as supporting evidence for that application.

How are surveys kept up to date

3.6.16 Typically, the results of a housing needs assessment are valid for three to five years.

3.6.17 It may be necessary to update a survey which is becoming out of date, but which is still needed to support an emerging housing development. A survey can be updated by contacting the earlier respondents identified as having a housing need and establishing through discussion whether they still require housing. It may also be possible to contact applicants on the housing register to determine how many have a local connection. This process can also be used to notify interested parties of a scheme's development and enables them to formally register their interest in a property to ensure they are considered when homes become available.

3.7 Older persons, supported and adapted housing

3.7.1 The provision of housing which is suitable for older persons, and those with specific adaptation or care needs is increasingly important as Dartmoor's population ages. These housing types can be delivered as market or affordable housing, and while there are no delivery requirements Local Plan policy is highly supportive of them in principle. It's important to identify local needs for these accommodation types where they exist so providers can work to deliver an appropriate housing mix to meet these needs alongside the normal housing pathway.

3.7.2 Devon County Council's Adult Care Vision and Strategies⁷ structure how public services respond to housing needs arising in Devon.

⁷ Adult Social Care Vision and Strategies

4 Affordable Housing

4.1 Affordable Housing Tenures

- 4.1.1 Affordable Housing is housing that is available for those who cannot meet their housing needs on the open market. Over the years the Government's definition of Affordable Housing has shifted to include different needs, means of assessing need and housing models, but the principle has remained the same. The Local Plan reiterates the current NPPF definition of Affordable Housing at section 3.4.
- 4.1.2 Notwithstanding the above, not all types of affordable housing included in the national definition are acceptable in National Parks. The National Parks Circular⁸, outlining national policy for National Parks and the Broads, requires the National Park "Authorities to maintain a focus on affordable housing and to work with local authorities and other agencies to ensure that the needs of local communities in the Parks are met and that affordable housing remains so in the longer term".
- 4.1.3 The outstanding natural beauty of our National Parks and the great weight afforded to that in national policy means they are not a place where unrestricted housing growth is supported. Development opportunities on Dartmoor are limited by environmental constraints and, as such, it is important to ensure that what housing is delivered meets local affordable housing needs in perpetuity. This ensures that affordable housing remains available for the benefit of Dartmoor's future generations, as a public good and potentially at a time when few additional development opportunities remain.
- 4.1.4 The following types of affordable housing are considered consistent with National Park policy:
- Social and affordable rent
 - Intermediate shared ownership
 - Intermediate discount market sale or rent, in perpetuity
- 4.1.5 In Dartmoor National Park the principal affordable housing need is generally for social rented accommodation which offers the cheapest form of rented affordable housing for occupiers.

4.2 Delivering Affordable Housing

- 4.2.1 The planning system permits affordable housing in three ways:
- **cross-subsidy**: where open market housing is built and sold to fund the provision of affordable housing. The Local Plan seeks provision of 45% affordable on allocated housing sites
 - **subsidy/grant**: where public subsidy is directly used to fund affordable housing provision, sometimes also included to 'top-up' a cross-subsidy scheme
 - Affordable housing can also be funded by the applicant/owner by minimising land and build cost and not needing to achieve a profit from a development which is secured affordable in perpetuity with a S106 legal agreement.
- 4.2.2 Housing Needs Assessments (HNAs) ask respondents questions on their income which can help in determining the ability of those in housing need to afford different housing tenures,

⁸ [Defra \(2010\) English National Parks and the Broads: UK Government Vision and Circular](#)

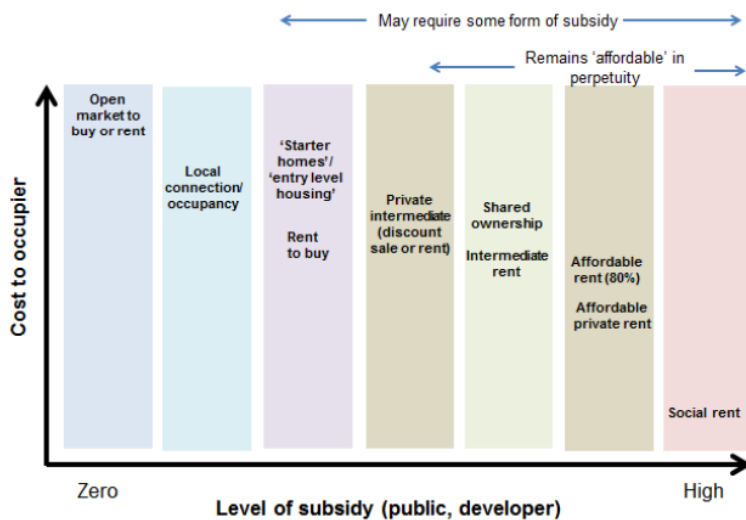
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with the principle being that applicants should be allocated to a tenure which meets their need, but requires the least subsidy or government support. Affordability is critical, though and a typical benchmark is that no more than 30% of gross household income is spent on housing costs.

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4.2.3 It's important to understand that different tenures of affordable housing are not equal in viability terms, some require more funding than others and many require some form of public subsidy to support their provision. The below illustrates how each affordable housing tenure influences development viability.

Figure 4.1 Comparing the level of subsidy needed for various affordable housing models with the prospective occupier cost



4.2.4 The Local Plan emphasises that the size and tenure of affordable housing be defined as closely as possible by the housing need identified (Strategic Policy 3.1). Where HNAs indicate a more affordable housing tenure is most suitable to meet a community's housing needs the overall level of affordable housing provision on a site may need to vary to accommodate this in development viability. Where the target affordable housing percentage set out in policy is not being met by a proposed development, DNPA requires submission of a development viability appraisal so that viability matters can be assessed in detail and by an independent expert where necessary (see section 12 for further guidance on viability appraisal).

4.2.5 Registered Providers (e.g. Housing Associations or District/Borough Councils) are the principal bodies delivering affordable housing in the National Park, either through progressing sites themselves, building-out sites with planning permission or purchasing completed units from private developers. There can be significant benefits to working closely with Registered Providers, communities and land owners before the planning process to facilitate development. Early coordination between stakeholders can:

- help ensure land transfers at a price which enables local plan policy objectives to be achieved or exceeded;
- improve development efficiency as repeat planning applications to amend outline

proposals are not necessary:

- improve community confidence the site will deliver affordable housing from a trusted provider; and
- avoid the need for agent and site promoter fees, which can improve development viability and allow for additional development benefits, such as improved build quality, a better affordable housing mix or additional community infrastructure to come forwards.

4.2.6 DNPA work closely with Housing Officers and Rural Enablers in the adjacent District and Borough Councils to ensure that new opportunities for housing delivery are identified and different potential delivery routes considered. As part of this process we strongly encourage early engagement from Registered Providers.

4.3 Social and Affordable Rent

Social and Affordable Rent

4.3.1 Affordable rented and social rented housing is housing let by local authorities or registered providers to eligible households in affordable housing need. Social rent is rented housing let by local authorities or registered providers typically at around 60% of market rent excluding service charges. Affordable Rent is also rented accommodation with a rent of no more than 80 per cent of market rent including service charges. Social rent is the cheaper tenure and typically considered the priority for affordable housing delivery in the National Park, subject to identified needs.

4.3.2 Affordable rented housing has become the predominant affordable rented tenure coming forward as part of development schemes on Dartmoor. As a rented tenure it reflects a more viable component of development schemes, however it can in some areas of the National Park fail to meet affordable housing needs where incomes are low. Dartmoor's policy approach is to support the most appropriate tenure for meeting the need identified.

4.3.3 The Local Plan clarifies that under either social or affordable rent should not exceed the Local Housing Allowance rent cap, inclusive of any service charges.

4.4 Intermediate Shared Ownership

4.4.1 Intermediate housing aims to bridge the gap in housing need between affordable rent and market housing, where the household can afford to rent, but is not able to afford market prices. As housing price increases have out-stripped earnings in the National Park over recent years, this tenure of affordable housing has become more important.

4.4.2 Shared ownership housing has a helpful role to play in the affordable intermediate market. It provides a stepping stone to home ownership by enabling a household to save, or gradually acquire equity in a property and benefit from the movement of the housing market. The model does have significant challenges in the National Park, in particular around affordability, owners understanding of the model and its restrictions, and viability for the owner.

4.4.3 Shared ownership is generally provided on larger scale developments with a Registered Provider, where discount market sale homes are less suitable.

Staircasing

4.4.4 The process whereby someone acquires more equity in a shared ownership property is known as staircasing. In some cases, staircasing can allow leaseholders to gradually increase

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their equity share, until they own the property outright. They may then be able to sell on the open market.

4.4.5 Dartmoor National Park is identified as a [Designated Protected Area](#) (DPA) by sections 300 and 302 of the Housing and Regeneration Act 2008. Acknowledging that affordable housing is hard to replace in these areas, Homes England policy seeks to retain shared ownership stock or ensure that it is recycled. For shared ownership properties on Dartmoor regulations⁹, which apply regardless of whether the homes have received Homes England grant funding, require landlords to include the following in lease conditions:

- The leaseholder's equity share is restricted to a maximum of 80%; **or**
- Once the leaseholder has acquired a 100% share of the house, that when it becomes available for resale it is sold back to the landlord.

4.4.6 This approach generally has a positive impact on provision of shared ownership houses by improving choice of affordable homes on the market, ensuring housing is available to meet future housing need, improving land availability through higher landowner confidence that affordable restrictions will apply in perpetuity and ensures efficient use of land and resources in the National Park.

4.4.7 Where a lessee is struggling to sell their share of the property (for example, because they have acquired a large share), the Authority would normally look to the Registered Provider to buy back all or a proportion of the equity.

4.4.8 If the provider chooses to allow the leaseholder to acquire 100% equity, there should be a covenant which states that the leaseholder agrees to sell the property back to the provider or the provider's nominee, at market value. If the provider is unable to buy back the property an alternative registered provider may be nominated. It is expected that the landlord will be able to buy back the property by using Recycled Capital Grant Funding and/or private finance. If this is not possible, the provider should apply to Homes England to fund the repurchase¹⁰.

4.4.9 Under certain conditions it is possible for a local authority to apply to Homes England to waive the above conditions relating to a specific site, where the authority considers a site does not meet the criteria as to why an area should be protected and shared ownership stock provided in perpetuity. DNPA currently considers that these criteria apply to the whole National Park area and does not intend to seek a waiver.

4.5 Intermediate Discount Market Sale

4.5.1 DNPA's intermediate discount market sale model allows for affordable housing for rent or sale to be delivered privately at a 20% - 40% discount. This model restricts occupancy to local people in affordable housing need and a Section 106 Legal Agreement (s106) restricts the rent or sale price of the property each time it is let or sold.

4.5.2 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 Local Plan (paragraph 3.4.6) provided a benchmark affordable house price of £150,000 to £165,000 in 2017 for two local earners purchasing a 2 bedroom 4 person house. Using the same methodology, data from 2022 indicates a benchmark affordable house price is now £200,000 to £210,000, principally

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⁹ The Housing (Shared Ownership Leases) (Exclusion from Leasehold Reform Act 1967) (England) Regulations 2009 and The Housing (Right to Enfranchise) (Designated Protected Area) (England) Order 2009

¹⁰ Further guidance is available in Home England's [Explanatory Note](#)

because of a 31% increase in average workplace-based earnings over this time.

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4.5.3 At planning application stage a number of mechanisms are used to ensure the final sale or rental value of the intermediate is within reach of those whose needs it is intended to meet:

- Fixed discount
- Size
- Design and specification

Fixed Discount

4.5.4 The fixed discount applied to discount market sale properties is set by the s106. It is set at the time of application to reflect the likelihood of an affordable sale value being achieved. In arriving at the discount officers take into the value area the property is located in, its size, design and specification, as well as the affordability of identified households in need.

4.5.5 The methodology for applying the fixed discount and determining a property's final sale value is as follows:

- a) Calculate the property's open market value, taking into consideration recent sold prices in the immediate area
- b) Calculate the value of the property taking into consideration the s106 legal agreement which restricts occupation to a local person in affordable housing need. Typically resulting in a 10%-15% discount, but is for the valuer to determine.
- c) Establish the final property value by discounting the value of the property taking into consideration the s106 legal agreement (established in b) by the fixed discount set out in the s106 legal agreement, between 20% and 40%.

Size

4.5.6 A property's size will significantly influence its value. The Local Plan (paragraph 3.4.7) limits the size of discount market sale dwellings to 93m², equivalent to a 3 bedroom 5 person house in national space standards. This will be strictly controlled at planning application stage.

Design and specification

4.5.7 High quality design is essential in the National Park, so a careful balance must be struck between good quality development and one that is unaffordable to those in housing need.

4.5.8 Plot size, design and specification materials are required to be modest and consistent with the fact the property is affordable. In particular the Local Plan states:

- Garages will not 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 will not be acceptable.
- The finish of the property must be carefully considered. Whilst we 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 an eligible household.

4.5.9 The Local Plan clarifies that permitted development rights will normally be removed to control extensions and alterations (including loft conversion) to intermediate properties, this ensures the property does not become unaffordable through alteration. Alterations consistent with the above criteria will generally be acceptable.

4.5.10 The number of bedrooms in discount market sale homes should closely reflect the housing needs of households identified in the Housing Needs Assessment.

Selling or letting an intermediate discount market home

4.5.11 To help those considering delivering intermediate discount market sale housing, the following summarises the process for the first and each subsequent sale or occupation of an intermediate discount market sale property:

1. S106 Legal Agreement is signed and planning permission is granted for the intermediate property, at which point a restrictive covenant is put upon the property's Title Deed preventing transfer of the property other than consistent with the s106
2. The property is completed and the landowner notifies DNPA of their intent to sell or rent the property. If the owner intends to occupy the property themselves, they can complete the questionnaire at Appendix A and we will assess their eligibility.
3. An independent valuation is commissioned by DNPA, at the landowner's cost, to determine the sale or rental value of the property. This valuation must be undertaken by a RICS accredited surveyor and follows the process described at 4.5.5.
4. The property is marketed at the value agreed in the last step. The advert should make clear the property is subject to a s106 legal agreement restricting occupancy to local persons in affordable housing need.
5. Prospective purchasers complete the questionnaire provided at Appendix A and submit to DNPA. We will assess the eligibility of prospective purchasers and inform the prospective buyer of their eligibility.
6. The owner is free to sell or rent the property to an eligible person. DNPA will only decide whether a household is eligible or not, we will not require that the owner sell or let to one household in preference over another. If being sold, the purchaser will need to complete the Deed of Covenant included in the s106 legal agreement, this is submitted to DNPA and counter-signed.
7. Prior to sale DNPA provide the purchaser with a certificate of completion, confirming the s106 has been complied with and allowing for the property transfer to be registered on the Land Registry.

4.6 **Housing Allocations or Local Lettings Plan**

4.6.1 An allocations or local lettings plan is an optional document communities can use to provide additional detail on how affordable houses in a development should be allocated to qualifying people, in addition to the s106 legal agreement. The allocations plan can provide additional detail and processes provided these are consistent with and do not override the s106 legal agreement.

4.6.2 Allocations plans are written in partnership and agreed by the community, rural housing provider, Local Planning Authority and Housing Authority. All parties have to agree with the plan's contents and in so doing acknowledge and be flexible to each other's interests. A balance always needs to be struck between ensuring sufficient opportunity for local people to access affordable homes, minimising the amount of time homes are vacant for, and allowing the housing provider to operate efficiently.

4.6.3 In most cases an Allocations Plan will not be necessary to ensure a development is successfully allocated in accordance with national and local policy. Some examples of what allocations plan can achieve include:

- **Prioritising applicants** at stages of the eligibility cascade, e.g. prioritising applicants with a local connection to the parish of provision before those with a connection to adjoining rural parishes

- Setting the minimum **advertisement period** before allocations are made, e.g. requiring advertisement to last the length of the cascade timeframe before allocating
- **Providing guidance and clarity** on the s106 legal agreement requirements, e.g. extracting the s106 clauses and presenting them in plain English.
- **Clarifying other routes to housing allocation** the housing association may have to allow because of 'Rights' provided by national legislation, e.g. the Right to Mutual Exchange, the Armed Forces Covenant and the Right to buy.

4.6.4 An allocations plan does not have to introduce new processes or criteria, it can simply be there to help communities understand the complex and sometimes competing processes which are used to allocate homes.

4.6.5 A template allocations plan is provided at Appendix B.

4.7 Financial contributions in lieu of provision of affordable housing on-site ('commuted sums')

4.7.1 In some cases, a financial payment can be made instead of providing affordable housing on-site; this is known as a 'financial contribution in lieu of affordable housing on-site' or 'commuted sum'. The Local Plan allows commuted sums in some circumstances, as it is recognised that it is sometimes difficult to provide affordable housing on small sites.

4.7.2 The Local Plan (section 3.5) sets out different approaches for allowing Financial contributions depending on site location:

- **Within Local Centres:** sites up to 5 units
- **Rural Settlements:** sites up to 3 units
- **Villages and Hamlets and the open countryside:** only where we consider provision is inappropriate because of:
 - The anticipated market value being too expensive for an affordable dwelling
 - The feasibility of converting or adapting the building
 - The impact the conversion or adaptation would have on the building

4.7.3 The Local Plan also clarifies that financial contributions will be calculated on a case by case basis given the range of land and property values and build costs across the National Park.

Calculating financial contributions

4.7.4 The Local Plan states (paragraph 3.5.4) that financial contributions should be calculated on an equivalence basis; the developer should be no worse or better off where they provide the affordable housing required on-site or as a financial contribution.

4.7.5 Financial contributions are calculated using these factors:

- **(A) Affordable house size:** this is 93m² and is based on the maximum permissible size of an intermediate affordable house in the Local Plan, see section 3.4
- **(B) Typical build costs:** based on analysis of BCIS average price data for flats and houses, averaged across West Devon, Teignbridge and South Hams, including 15% additional for external works and contingency¹¹ and a notional additional cost to account for the recent introduction of Part L of the Building Regulations (2021)¹².

¹¹ Published in the Dartmoor Local Plan [Whole Plan Viability Assessment](#)

¹² [Building Regulations Approved Document Part L](#)

- **(C) Professional fees:** 10% of build costs required to deliver technical elements of the construction
- **(D) Plot value:** using average benchmark gross land values per hectare², which represents the lowest plot values landowners may accept, and a development yield of 35dph.

4.7.6 Viability testing suggests that seeking the total build costs (E) at Table 4.2 may not be viable in all of Dartmoor’s market areas. To ensure the developer is no better or worse off providing affordable housing off-site, rather than on-site, viability testing suggests 80% of the total build costs should be sought. The financial contributions for each affordable dwelling due is presented below (F):

Table 4.2 Financial contributions payable in lieu of on-site affordable housing

(A) Dwelling Size	93m ²
(B) Typical Build cost per m²	£1,679
(C) Professional fees 10% of A x B	£15,615
(D) Average plot value	£14,286
(E) Total Build costs = A x B + C + D	£186,048
(F) Total financial contribution sought for each affordable dwelling = E x 80%	£148,838

4.7.7 The value of contributions in lieu of provision of affordable housing will be updated from time to time to reflect changes. The above figures were up to date as of December 2022. Financial contributions will be reflected in a s106 legal agreement agreed as part of the decision. These agreements should include clauses stating when the local planning authority should be notified of completions and when funds should be paid.

4.8 Vacant Building Credit

4.8.1 The Government introduced Vacant Building Credit to incentivise brownfield development and regeneration. Provided certain criteria are met the credit allows developers to reduce their affordable housing obligations.

National Policy and Guidance

4.8.2 National policy (NPPF paragraph 64) and guidance¹³ states that where a vacant building is brought back into any lawful use, or is demolished to be replaced by a new building, the developer should be offered a financial credit equivalent to the existing gross floorspace of relevant vacant buildings when the local planning authority calculates any affordable housing contribution which will be sought. Where there is an overall increase in floorspace in the proposed development, the local planning authority should calculate the amount of affordable housing contributions required from the development as set out in the Local Plan.

4.8.3 For example, where a qualifying vacant building with a gross floorspace of 800 m² is demolished as part of a proposed development with a gross floorspace of 1000 m², any

¹³ [National Planning Policy Guidance – Planning Obligations](#)

affordable housing contribution should be a fifth of what would normally be sought.

4.8.4 Guidance states it is a matter for local planning authority to judge what is a qualifying vacant building, but clarifies:

- The provision applied to previously developed land only, this excludes:
 - land that is or was last occupied by agricultural or forestry buildings;
 - land that has been developed for minerals extraction or waste disposal by landfill, where provision for restoration has been made through development management procedures;
 - land in built-up areas such as residential gardens, parks, recreation grounds and allotments; and
 - land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape [abandonment].
- In deciding whether a use has been abandoned account should be taken of all relevant circumstances, such as:
 - the condition of the property;
 - the period of non-use;
 - whether there is an intervening use; and
 - any evidence regarding the owner's intention
- In considering how the vacant building credit should apply to a particular development, local planning authorities should have regard to the intention of national policy and that the policy is intended to incentivise brownfield development, including the reuse or redevelopment of empty and redundant buildings. In doing so, it may be appropriate for authorities to consider:
 - whether the building has been made vacant for the sole purposes of re-development; and
 - whether the building is covered by an extant or recently expired planning permission for the same or substantially the same development.

Additional definitions

4.8.5 Paragraph 3.1.13 of the Local Plan provides further requirements, that:

- The provision applies to previously developed land only
- All floorspace will be calculated using gross internal floor area (GIFA)
- The whole building needs to be vacant, not just a single planning unit or part of the building and the provision does not apply to buildings which have been abandoned
- The applicant must demonstrate that the building has been vacant for a continuous period of 3 years preceding the day the planning application is valid
- Credit will not be applied to building(s) which have been made vacant for the purpose of redevelopment or where a building is covered by an extant or recently expired planning permission for the same or substantially the same development
- Where vacant building credit is applied, the full affordable housing obligations will be sought as a percentage of the remaining floor space
- Where a vacant building credit calculation results in a part dwelling requirement this will be rounded up to the next whole affordable dwelling
- Vacant building credit provisions do not apply to rural exceptions site

4.8.6 NPPG does not provide definition of what constitutes buildings or vacant. For the purpose of VBC, this Housing SPD applies the definitions of 'building' as set out at Part 5, 40 of the Community Infrastructure Levy Regulations (2010). These regulations state that a 'building'

does not include buildings:

- into which people do not normally go
- into which people go only intermittently for the purpose of maintain or inspecting machinery; or
- for which planning permission was granted for a limited period

Worked example

4.8.7 For clarity, a simple worked example of calculating vacant building credit is provided below.

4.8.8 A proposal to provide 10 dwellings at 90m² each (900m² total floorspace) in place of a 200m² vacant building which is to be demolished. Policy would require at least 45% affordable housing, which means 5 affordable units would be required (rounded up from 4.5, as delivery of half an affordable house is not possible and delivery of 4 units would not meet the policy requirement). From this baseline, the credit is applied by discounting the floor area of the vacant building as a proportion of the proposed new development. The vacant building is 22% of the new development, which is then used to discount from the baseline affordable housing requirement. A discount of 1.1 affordable homes is applied, this is then rounded equating to a requirement for 4 affordable homes for the development.

5 Custom and Self-Build Housing

5.1 Definition of custom and self-build housing

- 5.1.1** A custom and self-build house is a house built or commissioned by an individual for their own use, and to which they have had a significant influence over the design, layout and specification. Custom and self-build housing may be brought forward by either individuals or associations of individuals, provided the house is to be occupied by those individuals as their principal residence.
- 5.1.2** In legal terms there is no distinction between custom build housing and self-build housing, they share the same definition in the Self-build and Custom Housebuilding Act 2015. Typically though, the term custom build refers to a home where a build is commissioned, whereas self-build means that the owner has been more practically involved in its construction.
- 5.1.3** To help us decide whether a proposed home meets the above definition, we will need evidence that the initial owner/occupier of the home has had significant input into its final design, layout and specification. If we are not satisfied this test has been met, the home will not be considered as being a custom or self-built dwelling, and may potentially not get planning permission.
- 5.1.4** For the avoidance of doubt the following would not be considered to meet the definition of a custom and self-build home:
- a developer or builder building a home, and selling it on the open market;
 - the initial owner/occupier of the home choosing a design from a collection of stock designs offered by a developer or architect
 - the initial owner/occupier has been involved in only minor alterations to the design of a home, such as external material finishes, choice of kitchen/bathroom or internal layout
 - if there is no evidence the initial owner/occupier had significant input into the design of the building, even if the building appears to be a 'one-off' bespoke design; or
 - if an applicant has submitted a reserved matters application with house design and layout etc. for approval before marketing the plots to self-builders.

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5.2 Types of custom and self-build housing

- 5.2.1** The Local Plan permits the following types of custom and self-build housing to come forward in the National Park in certain locations/scenarios:
- Open market: unrestricted housing
 - Local needs: restricted to occupation by a Local Person in perpetuity and restricted to 93m² in size
 - Affordable: restricted to occupation by a Local Person in affordable housing need in perpetuity, with a value discounted by 20% - 40% and size to reflect the need
- 5.2.2** Local Plan Strategic Policies 3.3, 3.4 and 3.5 detail how the different types of custom and self-build housing can come forward in each settlement type, Table 5.1 summarises this. Open market Custom and Self-Build housing can come forward anywhere where open market housing is acceptable in policy. It may also be acceptable to mix affordable tenures (e.g. affordable rent, shared ownership, intermediate or affordable custom self-build) provided

these respond to an identified need for affordable housing.

Table 5.1 Summary of the Local Plan’s minimum delivery requirements for different types of custom and self-build housing

Site Location	Site Type (dwelling number)			
	≤ 3	≤ 4	≤ 5	≥ 6
Within Local Centre	45% affordable; or 100% Local Needs		45% affordable	
Within Rural Settlement	45% affordable; or		45% affordable	
Within Village and Hamlet	100% Local Needs			
Adjoining any settlement	100% affordable			
Open Countryside	Not permitted			

5.2.3 Affordable Custom and Self-Build Housing can be challenging to deliver. To qualify, eligible custom and self-builders need to be able to demonstrate they are in need of for sale housing, meaning they are unable to purchase suitable accommodation on the open market in the local area. At the same time they must also be able to raise the funds to complete the build. These two requirements can work against each other to mean only a small portion of people are eligible for this product, this has constrained delivery in the past. Mortgages and loans are available for custom and self-build houses, but they are specialist products typically less competitive than high street mortgage products. Affordable custom and self-build housing could come forward:

- Via serviced building plots sold below market value and subject to a legal agreement that restricts the resale value of the completed property;
- As ‘self-finish’ shared ownership homes – for example where a housing association or Council constructs the homes to waterproof ‘shell’ stage, the initial owner/occupier enters into a shared ownership lease and completes the property. Once the work is satisfactorily completed this earns the homebuilder an equity share in the property, which means they need a smaller mortgage or a lower deposit;
- Where an initial owner/occupier may have access to a cheap (equivalent to exception site values, c.£10k/plot) or free plot of land, or a building suitable for conversion, and builds or commissions a home on a careful budget. They would sign a Section 106 legal agreement requiring the resale of the home is restricted to an eligible household for a 20% - 40% discount.

5.3 Identifying need and eligibility

5.3.1 Local Plan Strategic Policies 1.3 and 3.2 establish how housing need should be identified before the principle of housing development is considered acceptable. As with other housing types, need for custom and self-build housing should be identified in accordance with the settlement hierarchy and as described in section 3.3. This ensures that smaller, more sensitive settlements do not meet the development needs of larger settlements, and land in the National Park is used to best effect.

5.3.2 Applications for Detailed/Full Planning Permission: The bespoke nature of custom and self-build housing means that the occupier must be present at the detailed application stage so the Authority can confirm they have had sufficient input into the design. This allows for need to be established at the pre-application or application stage by assessing whether the applicant is an eligible household for that particular tenure.

5.3.3 Applications for Outline Planning Permission: If eligible custom and self-builders are not yet identified, we will take a case-by-case approach taking into account the number and type

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of custom and self-build housing proposed. Given the inherent difficulties with Affordable Custom and Self-build Housing, we are more likely to require evidence of need on these sites, particularly for larger sites. For Local Needs Custom and Self-Build there is more likelihood of a need already existing.

5.3.4 Establishing eligibility early in the process will give all stakeholders comfort the project can progress. We can confirm whether potential custom and self-builders are eligible if they register to our [Custom and Self Build Register](#).

5.3.5 Affordable and Local Needs Custom and Self-Build will be controlled through a s106 Legal Agreement. This will include the following key features:

- **Restriction upon the title deeds**, to ensure no sale or transfer is completed without a certificate from the Authority confirming the s106 has been complied with
- **Restriction on the original owner/occupier**, for whom the home is built for, to live in the property as their principal home for at least 3 years from practical completion
- **Restrictions on occupation**, to ensure it is occupied only by a Local Person in perpetuity, or in the case of affordable models an eligible household, one that contains a Local Person and is in affordable housing need
- **Restrictions on disposal**, to ensure sale of plots is undertaken consistently and overseen by DNPA

5.4 Custom and Self-build Register

5.4.1 DNPA keeps a register of people looking for land in the National Park on which to build their own home. The register is in two parts. Individuals or associations of individuals who apply for entry on the register and meet all the eligibility criteria must be entered on Part 1. Those who meet all the eligibility criteria except for a local connection test must be entered on Part 2 of the register. Interested applicants can apply to the register [online](#).

5.4.2 We have a duty to grant sufficient planning permissions to meet the demand indicated on Part 1 of the register while carrying out our planning, housing and regeneration functions. We report on the register in our [Authority Monitoring Reports](#).

5.5 Design considerations

5.5.1 A key benefit of custom and self-build housing is that self-builders are often willing to invest time and money into developing unique high-quality proposals which can, over time, help improve an area's overall design quality. This is simpler to achieve on a one unit scheme where design ques can be taken from the surrounding built environment. On larger self-build schemes however, there can be significant challenges ensuring the scheme has design coherence, with different visions, materials, and techniques being employed on each plot by different applicants, self-builders and/or their contractors.

5.5.2 We will expect to see sufficient information at detailed planning application stage to assess a scheme's entire design. This could require a number of self-builders to collaborate and ensure their designs are coordinated and complementary. Alternatively, where a single plot is coming forward on a larger scheme a design code could be developed to control the design of future dwellings, this should be carefully considered though as a design code could detract other self-builders joining the project. For larger schemes we encourage all self-builders to submit a detailed application together, it may also be of mutual benefit to appoint the design team together, or at least select those used to working together.

5.5.3 Affordable and Local Needs Custom and Self-Build Housing are both restricted in size:

- **Intermediate Affordable Custom and Self Build Housing:** restricted in size to

reflect the need identified (see Strategic Policy 3.1) up to a maximum of 93m² (GIA), ensuring that the house remains within reach of those in affordable housing need

- **Local Needs Custom and Self Build Housing:** restricted to 93m² (GIA), ensuring the property is most likely to help meet Dartmoor's housing needs in the future, as evidence suggests larger housing is beyond average earners

6 Gypsy and traveller Accommodation

6.1.1 The Local Plan includes a criteria-based policy to respond to Gypsy and traveller accommodation needs; it does not proactively identify sites for pitches. This is appropriate because –

- a) There is a low level of need for Gypsy and traveller accommodation in the National Park, and
- b) This means it is not a strategic issue, and any need arising is best met reactively, Furthermore,
- c) any sites identified may not be in a location which is appropriate to meet the need which may arise, and it is therefore better to respond to the specific need at that time.

6.1.2 The policy aligns with the Government Guidance for traveller sites¹⁴ and reflects the broad strategy of the Local Plan; seeking development which is in the most sustainable location and of a scale a nature which conserves and enhances the National Park.

6.2 Assessing Needs

6.2.1 The most recent Gypsy and Traveller Accommodation Assessment (GTAA) was undertaken in partnership across Devon in 2015¹⁵. Planning applications for Gypsy and traveller accommodation in the National Park should be based upon the most up to date information from the strategic GTAA and supported by a clear statement of need which demonstrates what the need is and how that need will be met through the proposed development. Whilst a site-specific needs assessment is not requirement, additional information which helps to demonstrate the scale and nature of the need can be beneficial to support an application. In considering proposals, DNPA will seek advice from the Housing Authority and Devon County Council's Gypsy and Traveller Liaison Officer to establish the validity of the need relative to the proposed development.

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6.3 Identifying Sites

6.3.1 Local Plan Policy 3.11(2) sets out that permanent or transit Gypsy and traveller sites must be within, adjoining or well related to a Local Centre or Rural Settlement. A development's location is key to its sustainability and the ability for its residents to access services and facilities and integrate with the local community.

6.3.2 For clarity the definition of 'well-related' is provided at Local Plan paragraph 3.10.3 which states locations which are well-related to a settlement must:

- take a sequential approach, considering previously developed land first, and flood risk;
- be within a reasonable and safe walking distance of the centre of the settlement;
- have a safe suitable highway access;
- have reasonable access to utilities, with any new telephone or electricity connections being placed underground;

¹⁴ <https://www.gov.uk/government/publications/planning-policy-for-traveller-sites/planning-policy-for-traveller-sites>

¹⁵ Any new assessment will need to take into account the judgement Lisa Smith -v- The Secretary of State for Levelling Up, Housing and Communities

- be of a size which is proportionate to the adjacent community; and
- be consistent with other relevant policies within this Local Plan, including matters of landscape character, tranquillity, and the natural and historic environment

7 Rural Workers' Housing

7.1 Rural Workers' Housing

- 7.1.1 Rural workers' dwellings are homes needed for workers of land-based rural enterprises. Land-based enterprises include enterprises with a need to be located in the open countryside and which are directly involved in producing food and other goods from the land, such as farming and forestry. Rural workers' dwellings can be needed so workers can operate their businesses successfully, as they have an essential need to be located near their place of work at most times.
- 7.1.2 New housing in the open countryside is restricted in Dartmoor National Park. National and local policy only allow rural workers' dwellings in open countryside locations as a policy exception, where certain tests are met.
- 7.1.3 In most circumstances rural workers will be able to meet their accommodation needs by occupying existing houses in settlements or the open countryside. Where workers struggle to afford accommodation they should apply to Devon Home Choice, the housing register. If identified as in housing need, rural workers can bid on accommodation and this information can also be used to understand current housing need and the need for further affordable housing development.
- 7.1.4 There are three tests (described in more depth later in this chapter) set out in Policy 3.9 that need to be met for new rural workers housing to be considered acceptable in principle:
1. it is justified by an **essential need** for a full-time rural worker in agriculture, forestry or other rural land-based business to live permanently at or near their place of work;
 2. the business has been established for at least three years, profitable for at least one, is currently **financially sound** and has a clear prospect of remaining so; and
 3. the business and land management activity contributes to the **conservation and/or enhancement** of the National Park's Special Qualities.

Essential Need

- 7.1.5 The first test requires there must be an essential need for one or more worker to be readily available at most times at or near the place of work to ensure for the proper functioning of the enterprise. Whether this is essential in any particular case will depend on the operational needs of the enterprise. For the essential need to be established, we will expect the following requirements to be met:
- a genuine need to live at or near the site and to be available at short notice at most times, and that this cannot be achieved by living nearby in existing accommodation;
 - it is not possible for the rural enterprise to run effectively without having the worker living at or near the site;
 - no one undertaking or capable of undertaking the essential functional work already lives at or near the rural enterprise, or insufficient accommodation provision exists if there is a essential need for more than one worker;
 - there is no dwelling available at the rural enterprise for occupation by a worker; and
 - there is no suitable dwelling nearby available for occupation by a worker.

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7.1.6 It's important to stress this policy test is not about ease, convenience or personal preference; it assesses whether there is an "essential need" for the worker to be resident on site or nearby for the enterprise to function properly. It is recognised that many activities can be carried out more conveniently if a worker lives on site or nearby, however convenience does not constitute an essential need. With prudent and careful management rural enterprises do often operate without the need for a resident worker to live on-site.

7.1.7 In assessing whether there is an essential need we will consider (amongst other things):

- the enterprise's scale and nature;
- the potential for things to go wrong which would require urgent attention at short notice;
- the frequency of these events and their potential to have a serious impact on the functioning of the enterprise and its financial viability;
- the ability for automation to mitigate risk; and
- the period of time and seasonality over which a need may occur and the accessibility and suitability of nearby or alternative on-site accommodation.

7.1.8 An enterprise's scale should give an indication of the likelihood and frequency of things arising which need urgent attention. For a dwelling to be justified at the rural enterprise the risk of problems occurring, or the need for rapid intervention, needs to be of a scale and frequency that cannot be addressed by an off-site worker.

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7.1.9 Example circumstances where an essential need could be demonstrated include:

- farm animals or agricultural processes requiring 24 hour attention at most times and where otherwise there would be an identified and frequent risk to human or animal health;
- to deal quickly with emergencies that could cause frequent large-scale and serious loss of crops or products, that cannot be controlled by automation or good management practices alone; and
- an assortment of many different activities and regular issues in the day and night which accumulate to a sufficient scale to demonstrate a 24-hour need at most times for an on-site or nearby worker.

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7.1.10 Example circumstances where an essential need would not typically be demonstrated include:

- security needs, which can be met by good management and technology
- crop or horticultural watering, which can reasonably be met by good management and automation
- part-time worker needs, where workers are only needed seasonally or for short periods and not throughout the year, such as fruit picking
- a dwelling exists on the holding, but is occupied by a household not directly working on the holding
- a dwelling or building capable of forming one has been disposed of from the holding or is leased, within the last 20 years

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7.1.11 Appraisals of applicant's essential need will be independently reviewed at the applicant's cost.

Financial test

7.1.12 The financial test seeks to ensure that the business for which a permanent dwelling is sought is already profitable and likely to remain so. This safeguards against the possibility of the business closing and the dwelling not being needed, either because of genuine circumstances or by the applicant's design to circumvent restrictions on new housing in the open countryside.

7.1.13 Part 1b of Policy 3.9 requires that for permanent dwellings the business should have been operating for at least 3 years and profitable for at least one of those years. To ensure businesses are profitable they will be required to submit a rural business appraisal, which provides:

- a full description of the business and all its activities, including any diversification;
- three years of accounts verified by a qualified practitioner, including all incomings and out-goings related to all activities, supported by evidence such as a tax return; and
- a 5 year business plan showing how the business and its profitability is expected to evolve in the future.

7.1.14 As a starting point we will use annual minimum wage for a 37 hour week as a benchmark level of income for an individual worker (in 2023, this was £20,048). This profitability should be directly from the holding and activities related to the essential need for an on-site worker. The aim should also be for new businesses to be a going concern into the future and so planning for a 2.5% return on capital investments is encouraged. The final level of profitability required will need to take account of various factors, including any evidence that workers' have reduced their personal financial requirements through on-site activities.

7.1.15 To allow us to assess the enterprise's viability and the size of dwelling the enterprise can sustain detailed and up to date accounts, verified by an appropriately qualified person, will be required. This should include all business accounts relevant to the holding. Importantly an agent's summary of activity and opinion of the enterprises' financial viability will not be acceptable, the assessment of financial soundness is a judgement for the local planning authority.

Contributing to conservation and/or enhancement of Special Qualities

7.1.16 Part 1c of Policy 3.9 requires that the business and land management activity, for which the accommodation is needed to support, is consistent with the broader purposes of the National Park. In particular businesses should demonstrate how they are contributing to the conservation and/or enhancement of Dartmoor's special qualities, including its landscape character, biodiversity, traditional farming practices, tranquility, cultural heritage, public access.

7.2 Temporary Rural Workers' Dwellings

7.2.1 Local Plan Policy 3.9 allows for a temporary dwelling to support the establishment of a n existing, but newly formed rural enterprise, typically in the form of a caravan or mobile home. Policy allows a temporary dwelling for three years to demonstrate profitability can be achieved and confirming the existing operational needs of the enterprise.

7.2.2 An application for a temporary dwelling should be supported by:

- a) Evidence the existing enterprise meets the same essential test outlined in paragraph

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7.1.5 to 7.1.10;

b) Evidence there is a clear intention and ability to **ground** the enterprise;

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c) Evidence the enterprise **and its growth** has been planned on a sound financial basis, demonstrated with a 5 year business plan; and

d) Other documents as indicated by Local Plan Policy and the Local Validation Checklist.

7.2.3 As part of the business plan the applicant should make clear the intended growth of the business and make clear what land this will require, if land will be owned or tenanted, what additional buildings may be required, and any income relied upon not generated through the business. The business plan will also need to include a clear and convincing rationale for the budgets and projections included. It should demonstrate the business will be profitable and be capable of supporting a permanent dwelling by at least the final year of the temporary consent. The temporary consent period will be 3 years and successive extensions to this period will not normally be granted, **without high confidence of the enterprise becoming viable**.

7.2.4 After the trial period a permanent rural workers' dwelling will only be approved where the business meets the financial tests set out in paragraphs in paragraph 7.1.11 to 7.1.14.

7.3 Seasonal workers' dwellings

7.3.1 Where the functional need for a rural worker is seasonal, the Authority will carefully consider the case for worker's accommodation and consider granting consent for temporary accommodation for the seasonal period only. This accommodation will need to be temporary and mobile, and stored off-site outside the seasonal period.

7.4 Size of rural workers' dwellings

7.4.1 The Local Plan Policy 3.9 requires that rural workers' dwellings are sized to reflect the evidenced need and are limited to 106m² (GIA). This policy builds upon Strategic Policy 3.2 which requires that all housing in the National Park does not significantly exceed nationally described space standards to ensure that new housing is best positioned to meet affordable and market housing needs arising within the National Park, where average earnings are significantly out-stripped by high housing prices.

7.4.2 In relation to rural workers' housing the policy seeks to ensure that new housing is modest and assists the long term affordability of farm holdings. Access to farming for new and young farmers is exceptionally difficult due to high land and property costs, ensuring houses are reasonable and in-step with need is one measure which helps affordability.

7.4.3 The 106m² (GIA) size restriction is equivalent to a two storey 4 bedroom 5 person house, inclusive of a 9m² boot room. This restriction is the upper limit of what is permissible for a rural workers' dwelling, the appropriate size for an individual case will be established based on:

- Household need: the number of people in the household
- Space standards: the relevant nationally described space standard for the household size
- Boot room: allowance for a boot room of around 9m²
- Design considerations: some allowance within the 106m² to ensure a high quality design is achieved, the design need for any additional floorspace must be convincing and clearly justified and will not be applicable in every case

7.4.4 Some rural enterprises may also require office space for administrative tasks. The above space standard does not include office space, and it may be justified in addition to the 106m² size restriction. Offices won't always be necessary and many rural workers won't need any, especially if they are not managing the enterprise. Where an office is needed its size should be related to the number of staff using it and in most cases it will simply be a single person, in which case 10m² is considered ample. Larger enterprises with multiple employees may require larger office premises, which will be considered on a case-by-case basis with regard to the identified need. Regard should also be had to whether the office is located within the dwelling or elsewhere on the enterprise, an office for multiple employees should not be located within a dwelling.

7.5 Additional accommodation on existing farms

7.5.1 Policy 3.10 and Policy 5.9 aim to support existing farms access workers and diversify, these policies allow two alternative routes to creating additional accommodation on farms to support succession and the need for additional workers. The policies are intended as alternatives and so only one of these policy options may be pursued on any farm holding.

Policy 3.10 residential annexes to support farming

This policy was developed to allow the creation of new build accommodation to provide flexibility on a farm. This policy allows for an annex of up to 40m² (GIA) for a rural worker, where there is a need for additional worker accommodation.

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7.5.2 The policy allowance for an annex is intended to support the need for additional accommodation on a farm, which may be needed by temporary workers or to support older farmers into retirement. Eligible farms will need to demonstrate there is a genuine need for additional accommodation. This requirement will not have to demonstrate an essential need for a full-time worker, but there should be certainty that accommodation will be used for a rural worker and there are clear benefits of this for the business and/or wider rural economy.

7.5.3 The annex may be delivered through a new building or conversion of an existing building. However, proposals will also be required to comply with other Local Plan policies particularly those ensuring conservation of the historic and natural environment.

7.5.4 The maximum size of the annex is 40m² (GIA), which corresponds to a single storey one bedroom studio in nationally described residential space standards.

7.5.5 To ensure the original dwelling and annex remain associated with farming, both the existing dwelling and the annex will be subject to a condition restricting occupancy to a rural worker. Where the existing dwelling has no such restriction, then to benefit from the policy this should be applied as part of the planning application process. On approval the annex will also normally be subject to a condition removing permitted development rights, which helps ensure the overall design and affordability of the dwelling can be managed.

Policy 5.9 Farm diversification

This policy provides an alternative opportunity for the creation of additional worker, rental or holiday accommodation on a farm holding. This policy allows for the conversion of a redundant building to a Local Needs dwelling or holiday let tied to the farm business via s106 legal agreement.

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7.5.6 The policy allows for provision of either of the following through conversion:

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- a Local Needs dwelling restricted to occupancy by a local person; or
- a holiday let.

- 7.5.7** The policy aims to support farm diversification by allowing for supplementary income to be generated from property letting, and safeguarding against severance through a legal agreement.
- 7.5.8** The proposal must be delivered through conversion of a suitable redundant historic building consistent with Strategic Policy 2.8. To meet Strategic Policy 2.8's requirement to investigate lower impact commercial uses, prior to higher impact residential uses, a business plan should explore different conversion options and clarify how any proposed residential use is likely to benefit the farm enterprise when compared against reasonable alternatives.
- 7.5.9** The overall conversion size is limited to 93m² (GIA), although this will be applied pragmatically with the nature of the existing building being considered and ensuring conservation of the historic environment is achieved.
- 7.5.10** A proposal for a holiday let will be restricted so that no occupant occupies the accommodation for a single or cumulative period exceeding 28 days in any calendar year. A proposal for a Local Needs dwelling will be restricted to occupation by a Local Person (see definition at Local Plan section 3.3), with priority given to those with a local connection to the parish of provision, and be tied to the farm enterprise, together with the original dwelling, by an anti-severance agreement (see further guidance at section 7.6).

7.6 Planning conditions and anti-severance obligations

- 7.6.1** Policy 3.9 sets out the controlling conditions and requirements for legal agreement that will be attached to any grant of permanent planning permission for a rural workers' dwelling. It requires both an occupancy condition and anti-severance legal agreement are in place prior to consent being granted.
- 7.6.2** An occupancy condition requires the dwelling only be used for the needs of the rural enterprise, it will normally be applied to the dwelling for which planning permission is sought, but can also be imposed to restrict occupancy of other associated dwellings on the same holding as indicated by policy.
- 7.6.3** Severance is when a rural workers' dwelling and its land are separated, which in time can lead to the dwelling's rural workers' restriction no longer being needed, but the same land being used to justify a new dwelling elsewhere. There is a high risk of severance in the National Park, but limited ability of Dartmoor's sensitive landscape to accommodate new housing. The Local Plan strategy is to ensure this development pattern is prevented via anti-severance agreements.
- 7.6.4** An anti-severance agreement is a legal agreement which prevents the separate sale of land and the dwelling. The obligation ensures that the land used to justify the workers' dwelling stays with the dwelling, and the two are not separated. The agreement should be applied to allow flexibility for the applicant when selling and tenancing farmland. For this reason only a core area of land will generally be included within the agreement, this area of land should be capable of supporting the farm business and its workers and meet the financial test for rural workers' dwellings. Land in this core area cannot be sold or formally tenanted, and must remain as part of the business. Land not included in the core area can be bought and sold without restriction. The agreement should also allow for the agreement's core area to be swapped, provided the entire area continues to meet the financial test.

8 Determining eligibility for different housing types

8.1 Eligibility for occupying different housing types

8.1.1 To ensure houses built in the National Park to meet local needs are retained for that purpose, their occupancy is often controlled. Occupancy restrictions ensure houses are prioritised for the communities they were built to benefit. The following summarises how occupancy restrictions are applied to certain housing types in the National Park.

Housing type	Occupancy restriction	Occupancy Controlled by	Party responsible for determining eligibility
Social and Affordable Rent	Local person in affordable housing need	S106	Housing Association
Intermediate Shared Ownership			DNPA
Intermediate discount market sale			DNPA
Local needs custom and self-build	Local person	S106	DNPA
Rural Workers' Housing	Rural worker employed or last-employed in the relevant industry	Condition	Owner/Occupier
Gypsy and traveller	Person meeting statutory definition of Gypsy and traveller	Condition	Owner/Occupier
Low Impact Residential	Tied to the specific low impact lifestyle and business case which justified the development	S106	DNPA

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8.2 Local Persons

8.2.1 Housing in the National Park is predominantly delivered to meet local needs. As such, many of the housing types above require eligible occupants to be a Local Person. Local Person is defined in the Local Plan, at section 3.3, as a household containing at least one person who:

- a) currently lives in the relevant Parish(es) and having done so for at least 5 years;
- b) has lived in the relevant Parish(es) for at least 5 years, but moved away within the last 5 years;
- c) is currently employed within the relevant Parish(es), working for not less than 16 hours per week, and having done so for at least 26 weeks out of the preceding year; ~~or~~
- d) has a strong connection to the relevant Parish(es) by virtue of, for example: upbringing, employment, or having a requirement to provide substantial care for a close relative who currently lives in the National Park and has done so for at least 5 years.

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8.2.2 When determining whether someone is local the s106 will generally apply priority to the geographic area where housing need was identified to justify the development. This ensures homes are prioritised for the communities they were built for. The geographic area used to

determine housing need, discussed in section 4, is as follows:

Development within a Local Centre, but not Princetown: parish where the development is taking place and adjoining parishes which are wholly or substantially within the National Park

Development within a Rural Settlement, including Princetown: parish where the development is taking place and adjoining rural parishes which are wholly or substantially within the National Park

Development within a Village and Hamlet: parish where the development is taking place and any adjoining rural parishes as agreed with that parish

8.2.3 The Local Person definition has various criteria and a person can be eligible as a local person under any one criterion. Within a household only one person needs to be eligible for that household to be considered local.

8.2.4 There is some flexibility as what may be considered a 'strong local connection', this term is intentionally not defined in absolute terms. Below are some examples of what evidence we would consider satisfactory to demonstrate a strong local connection:

- A person with a close family member (parent, sibling, dependents, including equivalent connections 'in law' and through an unmarried partner) who is living in the relevant parish(es) and has done so for a period of 5 years
- A person who is providing substantial care to a close relative (grandparents, grandchildren, uncle, aunt, niece, nephew)
- A person whose upbringing or a significant part of their upbringing took place in the relevant parish(es)
- A person who has spent a significant amount of time (normally more than 5 years) living or working in the relevant parish(es) in the past

8.2.5 For meeting the Local Person criteria through employment applicants will need to evidence that their main place of employment is within the relevant geography of need (see section 3.3). For employees who are not office-based, this will be where their employer is registered, For employees working from home, the Authority will only accept a home address as their employment address if the employee has a full time working from home contract of employment.

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Where no local person is found ('the Cascade')

8.2.6 Where no local person is found within the relevant parish(es) the s106 will include allowance for an eligible person to be found from a wider geographic area. This process is known informally as 'the cascade' and ensures that homes are not left unoccupied. The process is different for sale and rental properties:

For social and affordable rented properties: Two weeks notice should be provided to DNPA and the relevant Parish Council(s) prior to advertising on Devon Home Choice (or equivalent Housing Register). The advertising periods should be at least two-weeks long. Where no local person can be found within the resulting shortlist then priority should be given first to applicants with a local connection to Dartmoor National Park, then to applicants with no local connection. Because this cascade is short, homes should be released in staggered tranches with no more than 5 in Villages and Hamlets and Rural Settlements, or 10 in Local Centres being advertised at any one time.

For intermediate sale properties: Following 13 weeks of marketing local person eligibility may extend to those with a local connection to Dartmoor National Park.

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8.3 Eligibility for Affordable Housing

Confirming eligibility for Affordable or Social Rented Housing

8.3.1 Persons eligible for social or affordable rented affordable housing on Dartmoor must be local and in affordable housing need.

8.3.2 Households considered in affordable housing need for rented accommodation are those assessed and placed on the Housing Register (Devon Home Choice) in Bands A-D:

Band A - Emergency Housing Need

Band B - High Housing Need

Band C - Medium Housing Need

Band D - Low Housing Need

8.3.3 Households not placed in the above bands or placed in Band E are not generally considered to be in housing need. However, the Authority may still consider a household to be in housing need where its income is insufficient to enable them to afford or to sustain to rent or purchase a property suitable to their needs in the parish. To assess this the Authority will use the following standard benchmarks of affordability:

- **For rented affordable housing:** no more than 30% of gross household income is spent on housing costs; or
- **For sale affordable housing:** a mortgage 3.5 times gross household income cannot be afforded, taking into account earnings and savings.

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Confirming eligibility for Intermediate Shared Ownership Housing

8.3.4 Persons eligible for intermediate shared ownership affordable housing on Dartmoor must be local and in affordable housing need. Housing associations will typically assess applicants for shared ownership properties.

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Confirming eligibility for Intermediate Discount Market Sale Housing

8.3.5 Details of the Authority's discount market sale model are available at section 4.5. At paragraph 4.5.10 a detailed summary of the process for transferring or selling intermediate discount market sale properties is provided.

8.3.6 Prospective purchasers of an intermediate discount market sale property should complete an eligibility questionnaire (see Appendix A) and return to the Authority for assessment. If the questionnaire indicates a prospective purchaser is likely to be eligible, evidence will be sought to corroborate the questionnaire. Evidence may include identification, proof of earnings and savings, credit report(s), and other information relevant to the applicant's financial status. Once the Authority has sufficient evidence it will determine a household's current eligibility using the criteria above. If eligible, prospective purchasers may inform the agent and progress with the purchase.

8.3.7 The Authority can only advise whether a household is eligible to occupy an intermediate home, it cannot give priority or force sale of a property to a particular party. If more than one eligible purchaser has been identified, the seller is free to decide which they sell to.

8.4 Eligibility for Local Needs Custom and Self Build Housing

8.4.1 Persons eligible for Local Needs Custom and Self-Build Housing must be Local People with a connection to the geographic area where housing need is identified from to justify the development, as set out in Strategic Policy 1.3, 3.1 and reiterated at paragraph 5.3.1. Importantly it is not possible for someone with a connection to a Local Centre to bring forward a self or custom build proposal in a Rural Settlement or Village and Hamlet, it is a principle of the Local Plan's settlement strategy that to assist conserve and enhance their special character smaller settlements are not expected to meet the development needs of larger settlements.

8.4.2 The bespoke nature of custom and self-build housing means that the initial occupier must be present at the detailed application stage so the Authority can confirm they have had sufficient input into the design to meet the custom and self-build definition. This allows for need and eligibility to be established at the pre-application or application stage simply by assessing applicants for eligibility as part of the application process.

8.4.3 Planning permission will be issued subject to a s106 agreement. Where the original applicant does not wish to proceed with a custom self-build development, any occupier will be required to submit a revised design to meet the requirement that the development is custom and bespoke to them.

8.5 Eligibility for Rural Workers Housing

8.5.1 Local Plan Policy 3.9 requires that rural workers housing is granted planning permission subject to:

- an occupancy condition requiring the dwelling only be used for the needs of the rural enterprise; and
- a legal agreement which ties the dwelling to the holding and ensures the dwelling is not sold separately from the land in the future.

8.5.2 The onus is on the owner and occupier of the property to ensure that the occupier complies with the dwelling's condition and legal agreement. The Authority will not make a formal decision on whether applicants are eligible, but we can provide advice on the face of any information provided.

8.5.3 The standard condition wording will require that occupation of the dwelling is limited to a person, and their household, who solely or mainly, or last worked in the locality in agriculture, forestry or the relevant land-based rural enterprise.

8.5.4 The definition of agriculture is as per Section 336(1) of the Town & Country Planning Act 1990 (as amended) and includes "horticulture, fruit growing, seed growing, dairy farming, the breeding and keeping of livestock (including any creature kept for the production of food, wool, skins or fur, or for the purpose of its use in the farming of land), the use of land as grazing land, meadow land, osier land, market gardens and nursery grounds, and the use of land for woodlands where that use is ancillary to the farming of land for other agricultural purposes".

8.5.5 Importantly for those seeking to occupy a rural workers' dwelling based on their work in agriculture and forestry they will need to have been working in roles directly involved in those practices, i.e. the producing and rearing of products from the land. Contractors or other workers who work in areas related to but not directly involved in agriculture or forestry will not typically be considered eligible, for example fencing, ground works or construction contractors.

8.6 Armed Forces Covenant

8.6.1 The Armed Forces Covenant is a promise by the nation to ensure that those who serve or have served in the Armed Forces, and their families, are treated fairly. The Armed Forces Act (2006) imposes a mandatory duty on identified bodies to pay due regard to the principles of the Covenant when carrying out certain functions. The Duty does not apply to Dartmoor National Park Authority, it is not an identified body nor does it carry out any relevant functions identified in the Act.

8.6.2 DNPA has voluntarily signed an Armed Forces Covenant Pledge, which means it has agreed to give consideration to the Armed Forces Covenant when carrying out its functions.

8.6.3 Allocation of affordable housing is a relevant function under the Armed Forces Act, but is generally carried out by Housing Authorities and, by delegation, Registered Providers. In carrying out this function the Armed Forces Covenant seeks to ensure that local connection criteria are fairly applied. Devon Home Choice policy includes specific criteria to ensure this is carried out consistently.

8.6.4 DNPA do assess eligibility of applicants for intermediate discount market sale and local needs custom and self-build homes, which is not the same as allocation of affordable housing but plays a significant role in allowing access to these housing tenures. Consistent with its Pledge DNPA will consider the Armed Forces Covenant and ensure fair application of local connection criteria when determining eligibility. Cases will be assessed individually on a case by case basis with reference to the Statutory Guidance¹⁶.

¹⁶ Armed Forces Covenant Duty Statutory Guidance

9 Other Housing Matters

9.1.1 This section covers detailed matters relating to all types of housing, including their size, design and how community-led proposals should consider progressing.

9.2 **Community Led Housing**

9.2.1 Community led housing is where a community plays a leading role in addressing their own housing needs. There is no single definition of the term community in this context, this could form on the basis of geographical connection or a cultural/lifestyle connection. Similarly there is no strict requirement as to the form of housing, it can be self-build, affordable housing, via a Community Land Trust (CLT), co-housing, housing cooperative or development of a brownfield or greenfield site. The only requirement is that it is led and supported by a community with ties to the area.

9.2.2 Community housing currently comprises less than 1% of the UK's housing stock¹⁷. However, the Community Land Trust sector has grown six fold in the last six years¹⁸. There are multiple potential benefits to community led housing:

- Local people can know their areas well and are well placed to make things happen
- They can be more willing to see the potential in difficult and small sites
- They can see the value in community uses which aren't immediately profitable
- They can build homes to suit their needs and as a result are more likely to stay in their communities
- They may provide other (non-residential) opportunities such as employment, or community space.

9.2.3 Policies of the Local Plan are supportive of community led housing in principle, however it is expected that it be brought forward in accordance with the local plan's strategic housing policies. The Authority's policies are consistent for all applicant types, and policies are not preferential to community led proposals. In most cases community led housing will be bringing forward a higher proportion of affordable housing than required by policy and so this should not generally present an issue.

9.2.4 [Registered Providers have a successful track record of delivering affordable housing in partnership with Community Land Trusts. This delivery model can allow communities to influence forthcoming development and have a long-lasting stake in its continued provision and protection through freehold ownership. The Chagford Trust¹⁹ is an example of how a CLT is using their stake in new development to bring about wider community benefits into the future.](#)

9.2.5 The Community Land Trust Network²⁰ are the principal source of information and assistance for communities considering pursuing a Community Land Trust model.

9.3 **Size and accessibility of new housing**

¹⁷ [Bringing Democracy Home. Commission on Co-operative and Mutual Housing](#)

¹⁸ [Community Land Trust Network – What is a Community Land Trust \(CLT\)?](#)

¹⁹ [Chagford Community Trust](#)

²⁰ <https://www.communitylandtrusts.org.uk/>

- 9.3.1** Housing affordability is a key pressure facing the National Park's housing market and the sustainability of its communities. The size of a property is a key factor in its value and the Local Plan, see section 3.2, has a clear aim to ensure that all housing delivered in the National Park is modest and commensurate with the needs of communities.
- 9.3.2** Strategic Policy 3.2 requires that the size of all types of housing, including open market housing, meets local housing needs and does not significantly exceed nationally described housing standards. This means that both the affordable and open market element of schemes should be constrained in size to meet local needs. For affordable housing it will be expected that proposals very closely match nationally described standards. For market housing, where there are clear design reasons some flexibility will be permitted. For the avoidance of doubt an increase in GIA of 10% or more is considered significant and will not generally be supported.
- 9.3.3** The Local Plan also includes specific maximum GIA floorspace allowances for the below housing types, these are fixed to ensure policy objectives and local needs are met, these cannot be exceeded:
- Intermediate affordable: 93m²
 - Local needs custom and self-build: 93m²
 - Rural workers housing: 106m², inclusive of all storage, boot and equipment rooms
- 9.3.4** When measuring proposals against the national standards the Authority will determine the occupancy rate (i.e. the number of people able to occupy the dwelling) using the size of bedrooms proposed. The national standards require that:
- in order to provide one bedspace, a single bedroom has a floor area of at least 7.5m² and is at least 2.15m wide; and
 - in order to provide two bedspaces, a double (or twin bedroom) has a floor area of at least 11.5m².
- 9.3.5** Responding to the National Park's ageing population and large stock of historic and inaccessible dwellings Strategic Policy 3.2 requires all new dwellings to be built to enhanced accessibility standards.
- 9.3.6** There are two enhanced accessibility standards within Building Regulations Part M²¹ that planning Authorities can apply to development in their areas:
- **Building Regulations M4(2)**: incorporating features that make the dwelling suitable for a wide range of occupants, including older people, those with reduced mobility and some wheelchair users.
 - **Building Regulations M4(3)**: incorporating features that make the dwelling suitable for a wheelchair user to live in the dwellings and use any associated private outdoor space, parking and communal facilities.
- 9.3.7** Strategic Policy 3.2 requires all new dwellings to meet M4(2) standards. M4(3) standards are to be sought where a specific need has been identified, generally via the Housing Register or via a housing needs assessment. The Authority will work with the Housing Authorities to ensure needs for wheelchair dwellings are met. Notwithstanding, the space standards described above flexibility may be needed to ensure M4(3) dwellings are appropriately sized.

²¹ [Building Regulations – Approved Document M](#)

Table 9.1 – summary of housing size and accessibility requirements

Dwelling type	Overall size restriction	Max. GIA	M4(2)	M4(3)
Open market	Meet and not significantly exceed Nationally Described Space Standards (NDSS)	NDSS, <10% allowance for design	Required*	Optional
Affordable rent		NDSS, normally max 93m ²		If need identified
Intermediate Affordable		93m ²		Optional
Local Needs Custom and self-build				
Rural workers housing		106m ²		
Low impact residential		NDSS, <10% allowance for design		
* <u>Unless evidence demonstrates it is not desirable or possible for planning or environmental reasons, or it is not viable.</u>				

10 Community Engagement

10.1 Community Engagement

10.1.1 The NPPF is clear that early engagement with communities has significant potential to improve the efficiency and effectiveness of the planning application system. Good quality pre-application discussion enables better coordination between public and private resources and improves outcomes for the community.

10.1.2 The advice in this chapter builds upon our Statement of Community Involvement²² where we set out the National Park Authority's role in community engagement throughout the planning process.

10.1.3 The following principles of good engagement should be upheld by all involved in the planning process, including applicants, developers, the local planning authority and communities themselves. Community engagement should be:

- early;
- open;
- transparent;
- inclusive;
- responsive; and
- accessible.

10.1.4 Those applicants, developers and their agents who often bring forward development proposals on Dartmoor are encouraged to develop their own community engagement charter. This should reflect these principles and set out how they will go about attracting meaningful, practical and positive input which influences their development proposals.

10.1.5 There are a number of ways in which applicants should engage positively with communities before, during and after the application process. There are significant benefits from genuine proactive community engagement, such as:

- Development of a scheme which responds to and is shaped by local knowledge and understanding
- A better relationship with the community, reducing objections which can slow down the application process
- A positive reputation as a result of listening, responding, and showing care and respect for the community in which the applicant is working

The Importance of early community engagement

10.1.6 Engaging with the community as early as possible within the development process has a multitude of benefits:

- better enabling an informed and iterative conversation with the community, allowing for communities' experience and knowledge of their local area to be fully understood and communities to learn from the project team
- reducing conflict by:
 - allowing key people to become known and trusted within the community
 - giving communities a voice at a stage when they can genuinely influence design decisions

²² [Dartmoor Statement of Common Ground \(2018\)](#)

- allowing for repeat periods of engagement as proposals are developed, and for communities to see how their feedback is being considered and incorporated
- by listening to communities development can respond to genuine local need and be conscious of future changes in local behaviour and demand.

Who to consult?

10.1.7 Dartmoor National Park is home to diverse and long-standing communities that have made positive contributions to development. Importantly developers should ensure consultation is open to all aspects of the community, not just the Parish Council, particularly those that are typically disengaged from the planning process. Who developers and applicants should consult will not be the same for each proposal but could include:

- The Parish Council and councillors;
- Residential amenity groups and forums;
- Local action groups;
- Local business groups and trade chambers;
- Relevant conservation, recreation and youth groups; and
- Relevant visitor and tourist groups.

10.1.8 In commercial or more mixed use areas it will be appropriate to engage with groups that represent both commercial and residential interests in the local area.

10.1.9 In all cases consultation should be compliant with Equalities Act 2010. It should seek to include the disabled or disadvantaged and work to break down barriers to engagement.

What form should engagement take?

10.1.10 Engagement can take a wide variety of forms, but can broadly be categorised as follows:

- **Informative** – awareness raising through, for example, leaflets, posters, online content
- **Consultative** – engagement seeking input from participants using, for example, questionnaires, interactive social media, group discussion or public meetings
- **Collaborative** – participatory approach using, for example, design workshops, facilitated group discussion or forums

10.1.11 Digital consultation methods and technologies are now prevalent and should be used, together with more traditional techniques, as standard, helping ensure as broad an audience as possible is engaged.

10.1.12 Each consultation will need to be bespoke to the community it is intended for. Digital literacy can be an issue in deeply rural areas such as Dartmoor, but this should not be an excuse for not using online engagement. Instead, it should be addressed through use of a wide range digital and non-digital techniques. As a guide it would normally be expected that a major planning application would utilise a broad range of informative and consultative consultation techniques. Proposals involving significant landmarks, heritage assets or other features of significance to the local community will be encouraged to use collaborative engagement techniques.

10.1.13 At least 2 weeks' notice should be given ahead of engagement events, and meeting times should be chosen to suit the community. A variety of days and times should be timetabled to suit as many people as possible, in the knowledge that some will not be able to make daytime events. Venues should be as accessible as possible.

Consultation techniques	Householder	Change of use no new floorspace	Non-major development <10 dwellings	Major development 10-39 dwellings	Major development >40 dwellings
Leaflets/online communications	Encouraged	✓	✓	✓	✓
Informative engagement			✓	✓	✓
Consultative engagement				✓	✓
Collaborative engagement					✓

10.1.14 When carrying out engagement key summary information of the proposal should be available, including:

- indicative layout
- proposed use and development function
- form, scale and massing
- identified positive and negative impacts on the local area
- consistency with Local Plan policy
- development timeline

10.1.15 The results of the event and how it has informed future proposals should also be made available to the community. For very large and significant large proposals the applicant should also consider appointing an independent community champion who can facilitate and mediate with the community. This approach can help ensure that engagement meets its intended audience effectively and communication is less adversarial.

The role of Development Briefs

10.1.16 Each allocated site in the Local Plan is supported by a Site Development Brief²³ which sets out the issues, opportunities and key policies relevant to development of that site. Local Plan policy 7.1 sets out that proposals for 6 dwellings or more on sites not allocated in the Local Plan, or which clearly deviate from the published Site Development Brief should be informed by a Development Brief or Masterplan prepared in association with the local community, relevant stakeholders and the Authority. We have prepared a Quick Guide²⁴ which describes good practice for this type of pre-application work.

²³ <https://www.dartmoor.gov.uk/living-and-working/planning/planning-policy/site-specific-plans-and-masterplans>

²⁴ https://www.dartmoor.gov.uk/_data/assets/pdf_file/0025/428641/QUICK-GUIDE-Masterplans-and-Development-Briefs.pdf

11 Rural Exception Sites

11.1.1 Rural Exception Sites are small sites used for affordable housing in perpetuity where land would not normally be used for housing. Normally, exception sites come forward to meet an affordable housing need in smaller villages where larger schemes with a mix of market and affordable housing will not take place.

11.1.2 All exception sites built in the National Park to date have comprised 100% affordable housing in perpetuity, having benefited from public grant funding. The Local Plan does allow for cross-subsidy through the provision of market housing, in line with government policy; this must be the minimum level necessary to deliver the affordable housing, not exceed 25% of the scheme, and be used to subsidise the delivery of affordable housing, not to 'top up' the price of the land. Applicants seeking to pursue cross-subsidy will need to demonstrate that equivalent public grant is not available, such as through Homes England grant schemes or equivalent.

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11.2 Delivering community infrastructure or employment space

11.2.1 In Local Centres and Rural Settlements, the Local Plan provides additional flexibility on Rural Exception Sites for them to deliver infrastructure and employment space needed by the community. Policies SP3.3 and SP3.4 allow for the percentage of affordable housing on Rural Exception Sites to be varied where a development is, alongside affordable housing, delivering community infrastructure or employment development. This approach recognises some communities will not benefit from opportunities for new community infrastructure because of the small amount of development which takes place there, and the traditional focus on providing affordable housing.

11.2.2 Where there is an essential need for community infrastructure in a settlement, this should be identified on DNPA's Infrastructure Delivery Plan (IDP); this might include new public car parking, highways improvements or active travel infrastructure, flood protection works, or utilities improvements. We encourage communities to identify their needs through community planning and discuss with us essential infrastructure needs they may identify.

11.2.3 Some communities may also benefit from employment space which meets their local needs. This may include, for example, shared office workspace, incubator employment space, or artisanal or light industrial units for local businesses. The need for this should be evidenced as part of any planning application, ideally through local survey and with evidence of community support, and the proposed workspace should reflect the local needs identified. Maximum community benefit would come from such employment space being in community ownership, or through the community having a clear stake in the allocation of such space for local enterprises.

11.2.4 Where a site is delivering community infrastructure or employment space the percentage of affordable housing on a Rural Exception Site may be varied. A scheme may deliver:

- essential community infrastructure, the need for which is evidenced through DNPA's IDP, and/or
- employment space which meets an identified need in the wider settlement,
- provided that the site is delivering a minimum of 45% affordable housing (as required by the Local Plan)

11.2.5 In order to secure community benefit in perpetuity we will use appropriate planning controls to

Deleted: ensure the requirements of the Local Plan are met we may

manage construction and use of the relevant infrastructure, including, through:

- A pre-commencement or Grampian condition, or
- A Section 106 legal agreement, and
- The removal of permitted development rights in order to secure the community benefit in perpetuity.

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12 Development Viability

- 12.1.1** Development viability assessment is the process of assessing whether a site is financially viable to develop in accordance with Local Plan policies, by assessing the value generated by a policy compliant development relative to the cost of developing it.
- 12.1.2** The primary role for viability is at the plan-making stage. The draft Local Plan has undergone viability assessment²⁵ to ensure its policy requirements are realistic and the total cumulative cost of all relevant policies do not undermine deliverability of the Local Plan. The starting point for any viability discussion is therefore that the Local Plan's policies have been viability tested, and a policy compliant planning application will be assumed to be viable.
- 12.1.3** A viability assessment will be required as part of a planning application where the applicant claims that development viability means they cannot bring forward a policy compliant scheme. It is the applicant's responsibility to demonstrate that there are genuine and convincing reasons that a viability assessment is needed, otherwise as above the starting assumption is that the Local Plan's policy requirements are viable and should be complied with.
- 12.1.4** Where a viability assessment is considered necessary it is important that it is not rushed or biased, and is carried out independently, professionally, and following best practice. This section sets out minimum standards which ensure viability assessments are undertaken fairly, robustly and consistently throughout Dartmoor. Officers will uphold these standards and work with applicants and independent professionals to ensure they are met. Where a viability assessment does not follow these fundamental principles, this will reduce the weight officers give them in decision making and could result in it being disregarded entirely.

Principles for Viability Assessments

All viability assessments should:

1. be prepared by a suitably qualified practitioner [within 3 months of submission](#)
2. follow Government's recommended approach to assessing viability as set out in the National Planning Guidance, including by using standardised inputs;
3. refer back to the Local Plan Whole Plan Viability Assessment (and its Addendum) and explain why this evidence does not demonstrate the viability of the proposal;
4. clearly state assumptions for all standardised inputs and explain deviations from the Whole Plan Viability Assessment with robust evidence;
5. take all scheme characteristics into account, including site area, residential unit numbers, number of habitable rooms, unit size, density, split between proposed tenures, target market, proposed specification, development programme and timing;
6. be proportionate, simple, and transparent;
7. be made publicly available, unless exceptional circumstances exist; and
8. not use price paid for land as a relevant justification for failing to comply with Local Plan policy.

Standardised Inputs

- 12.1.5** National planning practice guidance clarifies that the following standardised inputs should be a feature of all viability assessments. This approach supports accountability, consistency and improves the chance of communities understanding the role and findings of a viability assessment. The standardised inputs are summarised below with key information from

²⁵ [Whole Plan Viability Assessment \(2018\) Three Dragons; Addendum Whole Plan Viability Assessment \(2019\) Three Dragons](#)

Dartmoor's Whole Plan Viability Assessment.

Gross development value (GDV): the final value of the development, for residential this will be the total made from sales and/or capitalised net rental. This should be evidenced using market information from the existing site, from existing developments in the local area or from recent sale values in the local area and, with regards affordable housing, with Registered Providers.

Costs: including build costs (e.g. BCIS data), abnormal costs (e.g. contamination, historic environment issues), site-specific infrastructure costs (e.g. access roads, utility connections, drainage), and the cost of meeting all relevant policy requirements (e.g. affordable housing, education contributions, play space and outdoor sport provision, biodiversity net gain). Costs will also include standard general finance costs, professional fees (e.g. for marketing, project management, sales and legal). These costs should all be taken into account when defining benchmark land value, and price paid for land will not be considered as justification for unviability.

Benchmark land value (BLV): comprising a benchmark land value, based on existing use land value (EUV) plus a premium for the landowner. The premium for the landowner should reflect the minimum return to incentivise the landowner to sell their land. The value should reflect costs of bringing forward the development. The whole plan viability assessment set benchmark land values in consultation with the development industry as follows:

DNP value area	Value per gross Ha	Value per gross Ha sites over 2Ha	Rural exception site
North east	£600k	£350k	£10k per plot
South west	£400k	£300k	£10k per plot

Existing use land value (ELV): is a component of benchmark land value and is the value of the land in its existing use. Information on current use values can be retrieved from land registry records of transactions in the local area, real estate research, VOA data, and others. The whole plan viability assessment used DLUHC's Land Value Estimates²⁶.

Developer return: National guidance states that developer return should be 15 – 20% of gross development value, but where affordable housing is provided a lower figure is more appropriate. The Whole Plan Viability Assessment used 20% of GDV for market homes and 6% of cost for affordable homes.

Public availability

- 12.1.6** The appraisal should be prepared to be made publicly available. Only in exceptional circumstances will the Authority not publish a viability appraisal. Such circumstances include where information in the assessment is commercially sensitive. A typical viability assessment is not commercially sensitive, there must be a particular reason and evidence that it is considered sensitive, such as the potential for it to impact current negotiations or compensation.
- 12.1.7** Where an exemption from publication is sought the Authority will seek to redact the minimum information necessary to avoid any commercial sensitivity. In the rare event the entire viability appraisal needs to be redacted, the applicant should prepare an executive summary suitable for publishing publicly. Most commercially sensitive information will only be sensitive for a

²⁶ [Land Value Estimates \(2020\) Department for Levelling Up, Housing and Communities](#)

period, once this period is over the Authority will publish the report in full.

Professional scrutiny

12.1.8 To ensure this and national policy and guidance is followed the Authority will normally require that a viability appraisal is reviewed by an independent professional. This review will ensure appraisals include robust and convincing evidence to support the conclusions made. The review will be undertaken at the applicant's cost and will also be made publicly available. Where an applicant uses the Authority's preferred provider, then this can avoid the cost of review.

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13 Monitoring and Review

- 13.1.1** It is important that planning policies and associated advice such as an SPD is kept up to date. The Local Plan is currently monitored through the Authority Monitoring Report (AMR), which is published each year, and includes a range of evidence to monitor the delivery of housing, and effectiveness of policies.
- 13.1.2** We also publish an Infrastructure Funding Statement (IFS) each year. The IFS provides a summary of all financial and non-financial developer contributions relating to Section 106 Legal Agreements (S106) within Dartmoor National Park for a given financial year. This includes off-site affordable housing contribution (commuted sums) received each year, and how that money is spent.
- 13.1.3** Monitoring information is considered by the Authority as part of our performance monitoring, it is scrutinised by our Planning and Sustainable Development Working Panel and Audit and Governance meetings. We also have a long established Joint Advisory Committee for Affordable Housing in Dartmoor National Park (the 'JAC') which includes constituent Housing Authorities and other delivery partners; the JAC provides a forum for monitoring the implementation of planning policies for housing, and enabling partnership delivery.
- 13.1.4** Affordable housing is a constantly changing sphere of work. We will consider a formal review of this SPD in 5 years unless monitoring indicates an earlier review is necessary.

14 Appendices

14.1 Appendix A – Intermediate Affordable Housing (Discount Market Sale) Application Form

Dartmoor National Park Authority Intermediate Affordable Housing (Discount Market Sale) 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 of an intermediate (discount market sale) property.

Please complete and return this questionnaire to Dartmoor National Park Authority, Forward Planning: forwardplanning@dartmoor.gov.uk

I/We can confirm that our household income is under £80,000	Yes / No
If applying to buy, I/we can raise at least £2,500 to cover fees and understand mortgage lenders may require a deposit	Yes / No

1 Details of the Applicant(s)

1.1 Please complete your details:

	Applicant 1	Applicant 2
Title:	Mr / Mrs / Miss / Ms	Mr / Mrs / Miss / Ms
First name:		
Last name:		
Date of Birth: DD/MM/YYYY		
National Insurance number:		
Home telephone number:		
Work telephone number:		
Mobile telephone number:		
Email address		
Relationship between 1 st and 2 nd application (e.g. partner, friend, co-habitee etc.)		

	Applicant 1	Applicant 2
Your current address:		
Postcode:		
Date you moved into this property: DD/MM/YYYY		
Your previous address:		
Postcode:		
Date you moved into this property: DD/MM/YYYY		

Who else will be living with you?				
Name	Sex	Date of Birth DD/MM/YYYY	In work?	Relationship to applicant 1
	M / F		Yes / No	
	M / F		Yes / No	
	M / F		Yes / No	
	M / F		Yes / No	

2 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 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)

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 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.

	Applicant 1	Applicant 2
Where do you currently live?		
Name of local authority:		

Name of parish or ward:		
Where do you currently work?		
Name of local authority:		
Name of parish or ward:		
Other local connection?		
Do you have a local connection to any other area? If so please complete the following:		
Name of local authority:		
Name of parish or ward		
Nature of local connection: (e.g. previously lived or worked in area)		

Employment details

	Applicant 1	Applicant 2
Are you working?	Yes / No	Yes / No
Do you work for the Ministry of Defence?	Yes / No	Yes / No
Job title/occupation:		
Employer's name:		
Employer's address:		
Postcode		
Employer's telephone number:		
Are you permanently employed?	Yes / No	Yes / No
Are you self-employed?	Yes / No	Yes / No
Are you on a fixed term contract?	Yes / No	Yes / No

How many hours a week do you work here?		
How long have you worked for you current employer?		

Annual income details (£ only)

	Applicant 1	Applicant 2
Total gross income from employment before tax and deductions (not including overtime and bonuses)	£	£
Total amount of savings and capital (not including overtime and bonuses)	£	£
Total gross amount of any overtime, bonuses or commission (please state amount)	£	£

Calendar monthly income (£ only)

	Applicant 1	Applicant 2
Total net pay (take home pay) or pension after tax & deductions	£	£
Working Tax Credits	£	£
Child Tax Credits	£	£
Child Benefit	£	£
Disability Allowance	£	£
Guaranteed Child Maintenance	£	£
Other Income	£	£

Outgoings (£ only)

	Applicant 1	Applicant 2

Total balance of all outstanding loans which have more than 6 months to run	£	£
Total monthly payment on outstanding loans (only include student loan if you have started making payments)	£	£
Total outstanding balance on all store/credit cards	£	£
Total rent or mortgage payments each calendar month	£	£
Total of any other calendar monthly outgoings	£	£
Have you had a County Court Judgement (CCJ) registered against you in the last 3 years	Yes / No	Yes / No

Other housing circumstances

Are you currently (please tick)	Applicant 1	Applicant 2
A council tenant		
A housing association tenant		
Renting from your employer		
Living with family or friends		
Renting privately		
A current home owner		
Existing shared owner		
Homeless or temporary accommodation provided by the council		
Other		

	Applicant 1	Applicant 2
Are you on a council housing or housing association waiting list?		
If you are on a council waiting list,		

please say where:		
And give your reference number:		
Only complete this section if you are a current home owner (included caravans, mobile homes, houseboats etc.)		
What is the reason for your application? (e.g. relationship breakdown)		
How much equity do you estimate you have available?	£	£
Is your property on the market?	Yes / No	Yes / No
Has your property been sold?	Yes / No	Yes / No

5 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:

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.

Important information and declaration: All applicants must sign this page

Dartmoor National Park Authority (DNPA) will act as the data controller and processor for all the information included in this questionnaire. DNPA will only use the given personal data of all applicants for the purpose of determining your eligibility to occupy an Intermediate Affordable property and will hold your information in accordance with the Data Protection Act 1998.

DNPA will retain the information for a period not longer than 12 months. After this time the information will be securely destroyed.

All information will be treated in the strictest confidence.

Declaration: I/We have read the above and confirm that I/we have provided accurate and up to date information relating to my/our eligibility to occupy the property referred to.

I/We consent to DNPA storing and using my/our personal data as outlined above.

Signed:.....Date:.....

(First Applicant)

Signed:.....Date:.....

(Second Applicant)

14.2 Appendix B – Template Allocations Scheme

Dartmoor National Park Housing Allocations Scheme

Site Name: [Insert]

Development/Road Name: [Insert]

Application Ref: [Insert]

Section 106 Agreement: [Insert]

Date Agreed:

Local Planning Authority: Dartmoor National Park Authority

Housing Authority: [Teignbridge/West Devon/South Hams/Mid Devon District Council]

Parish Council: [Insert]

Affordable Housing Provider: [Insert]

Background

- 1.1 This Housing Allocations Scheme clarifies the process by which the [Insert number] affordable dwellings permitted on land [Insert] are to be allocated to qualifying persons, on the **homes'** first and each subsequent occupation. The Allocations Scheme sits alongside and must be consistent with the s106 legal agreement. Where interpretation is uncertain, the s106 legal agreement will take precedence. A copy of the s106 is available to view at Dartmoor National Park Authority or Teignbridge District Council.
- 1.2 This Allocations Scheme has been prepared and agreed by Dartmoor National Park Authority (Local Planning Authority), [Insert Housing Authority], [Insert Affordable Housing Provider], **[Insert Parish Council for Parish of Provision]**, It may be updated or amended at any time with the agreement of each of the parties, provided it remains consistent with the provisions of the s106.
- 1.3 The [insert number] affordable dwellings are as follows:

Plot No	Unit type	Bedrooms in unit	Tenure	Number of units
			Total	

Summary of s106 allocation criteria

1.4 The s106 legal agreement includes the following allocation criteria which must be complied with:

a) *Not to permit or otherwise allow any of the Affordable Dwellings to be let other than:*

- *to a qualifying person; and*
- *at a sum not exceeding the Affordable Rent.*

except where no qualifying person can be found, in which case the following will apply.

b) *If upon the expiry of two weeks no qualifying person can be found the relevant Affordable Dwelling may be allocated to any person in Housing Need who has a Local Connection to the following areas, in priority order (highest priority first):*

- *An adjoining rural parish*
- *Dartmoor National Park*
- *District Council area*

1.5 The s106 legal agreement includes the following requirements of the advertisement period, to ensure there is sufficient notice of the advertisement period:

- the advertisement must be available continuously without interruption for at least two weeks;
- notice must be provided to the Authority and **[Insert Parish Council for Parish of Provision]** prior to advertising; and
- not more than 5 units can be advertised at any one time.

1.6 To ensure it is clearly understood the s106 legal agreement includes definitions of key terms, including:

Adjoining rural parishes: that part of the civil parishes of **[insert adjoining rural parishes]** as lies within the boundary of Dartmoor National Park

Affordable Rent: A rent which does not exceed 80% of the Open Market Rent (inclusive of service charges) for the relevant property type (and should not exceed the published Local Housing Allowance for the relevant property type and in the relevant property market area allowing for any modifications to a level of allowance as published from time to time by the Government)

Local Connection: means a person who meets one or more of the following requirements or forms part of a Household containing at least one permanent resident who:

- a) Currently lives in the relevant parish and having done so for at least five years; or
- b) Has lived in the relevant parish for at least five years, but moved away within the past five years; or
- c) Is currently employed in the relevant parish working not less than 16 hours per week, and having done so for at least 26 weeks; or
- d) Has a strong local connection to the relevant parish by virtue of, for example upbringing, employment, or having a requirement to provide substantial care for a family member who currently lives in the parish and has done so for at least five years.

Qualifying Person: means a person who:

- a) has a Local Connection to the **[insert Parish of Provision]**; and
- b) either:

- i. is in Housing Need; or
- ii. is releasing an Affordable Dwelling elsewhere.

1.7 For clarity, a map of parishes adjoining [insert Parish of Provision] is provided at the Appendix.

Provisions of this Housing Allocations Scheme (Additional allocations criteria)

Prioritisation of qualifying people

1.8 Allocation to qualifying people in each level of the cascade (see 1.3.1 a-d) will be prioritised as follows:

- a) By Devon Home Choice Band priority (Bands A-D) with Band A being the highest priority, and then, if necessary
- b) Where two or more people have the same Devon Home Choice band, priority will be given to Qualifying Persons who have been registered on Devon Home Choice for the longest continuous period. There will be no aggregation of separate periods of registration and only the single period prior to registration shall be considered.

Advertising of vacancies

1.9 Properties will be advertised on Devon Home Choice or its successor. In the event that Devon Home Choice or its successor is unable to provide this service, or the definition of Bands A-D should change, the Parish Council, DNPA, [insert Housing Authority] and the Landlord will ensure this Allocations Scheme is amended.

1.10 The landlord will inform the Parish Council about any upcoming vacancies. The Parish Council will use local communications to ensure as many local people as possible know about any vacancy and how to apply.

1.11 Within each level of the cascade (see [insert reference]) allocation should only occur after at least **two** weeks of advertising.

Alternative allocation requirements

1.12 There are circumstances where it may be necessary to consider and potentially allocate homes to applicants who do not comply with the criteria set out in the s106 legal agreement or this Allocations Scheme. This is because national legislation gives rights which cannot be restricted by local policy or legal agreements. A summary of some common circumstances is provided below

Mutual Exchange

1.13 Mutual exchange is a permanent house swap between two social housing tenants. It occurs where two or more qualifying social housing tenants exchange tenancies, and move permanently into each other's homes. In certain circumstances tenants have a right to mutual exchange which cannot be restricted by local occupancy restrictions.

1.14 Where affordable housing occupants have eligible landlords, a valid tenancy, and are complying with their tenancy obligations, mutual exchange cannot be refused and would enable someone not meeting the allocation criteria in the s106 and this Allocations Scheme to occupy an affordable property. Further guidance is available here:

[DNPA's Mutual exchange: Guidance note for tenants](#)

Right to Acquire

1.15 The Right to Acquire is a government policy which gives secure tenants of some Registered Providers the legal right to buy, at discount, the affordable home they are living in. Properties within government designated rural areas cannot be bought under the Right to Acquire scheme. **[Insert Parish Council for Parish of Provision]** is a government designated rural area therefore tenants of the Affordable Dwellings will not be able to apply to buy their homes under this scheme.

Preserved Right to Buy

1.16 The Preserved Right to Buy is a government policy which gives certain secure tenants of Registered Providers the legal right to buy, at discount, the affordable home they are living in. In order to qualify the tenant must have been a tenant of the Housing Provider on 4 February 2004 when their home was transferred to the Affordable Housing Provider. Tenants of the Affordable Housing Provider who qualify for the Preserved Right to Buy and then take on a secure tenancy of one of the Affordable Dwellings, will have the right to apply to buy the Affordable Dwelling. Any properties in the Development sold under the Preserved Right to Buy will have a S157 Housing Act 1985 Devon Rule restriction imposed in the Transfer Deed requiring any future purchaser (or if there are two of them only one need comply) to have lived or worked in Devon (or a combination of the two) throughout the last 3 years immediately prior to their purchase.

Map of adjoining Parishes

[Insert map]



Dartmoor National Park Authority

**Draft Housing Supplementary Planning
Document (SPD)**

Statement of Consultation

December 2023

1. Introduction

1.1.1 Dartmoor National Park Authority (DNPA) consulted on a draft Housing Supplementary Planning Document (SPD) in February 2023. The SPD provides additional guidance to support the delivery of housing in Dartmoor National Park.

1.2 About the SPD

1.2.1 The Housing SPD provides detailed guidance on the housing policies in the Dartmoor Local Plan 2018 – 2036, adopted in 2021. The SPD is of particular relevance to those involved with assessing local housing need and delivering all types of housing in the National Park.

1.2.2 The SPD provides guidance on how Local Plan housing policies will be assessed and implemented. The topics covered in the SPD are:

- Defining and identifying local housing need
- Affordable Housing tenure management, delivery, and viability
- Custom and Self-Build housing
- Gypsy and traveller accommodation
- Eligibility for specific housing types
- Community led housing
- Housing size and accessibility
- Community engagement for housing proposals
- Rural exception sites

1.3 Consultation process

1.3.1 The consultation opened on 6th February and closed on 27th March 2023. The Draft Housing SPD was made available online¹ together with a comment form that consultees could use to submit their comments by post or email. While use of the form was encouraged, it was not compulsory, and comments submitted not using the form were accepted.

1.3.2 Engagement as part of the consultation procedure included:

- Email consultation with Forward Planning's policy consultee list, which includes a broad range of around 400 statutory and non-statutory consultees with an interest in Dartmoor
- Dartmoor homepage website link directly to the consultation, supported by various other links throughout the Dartmoor website, including the planning homepage (see Figure 1.1)
- Social media publicity throughout the consultation via Twitter and Facebook (see Figure 1.1)
- 2 virtual drop-in events held via Teams, for the general public and Town and Parish Councils
- A further drop-in event was offered to agents but did not run because of lack of interest
- Various 'deep-dive' meetings with officers, specialists and other internal and external stakeholders

¹ [Dartmoor Housing SPD webpage](#)

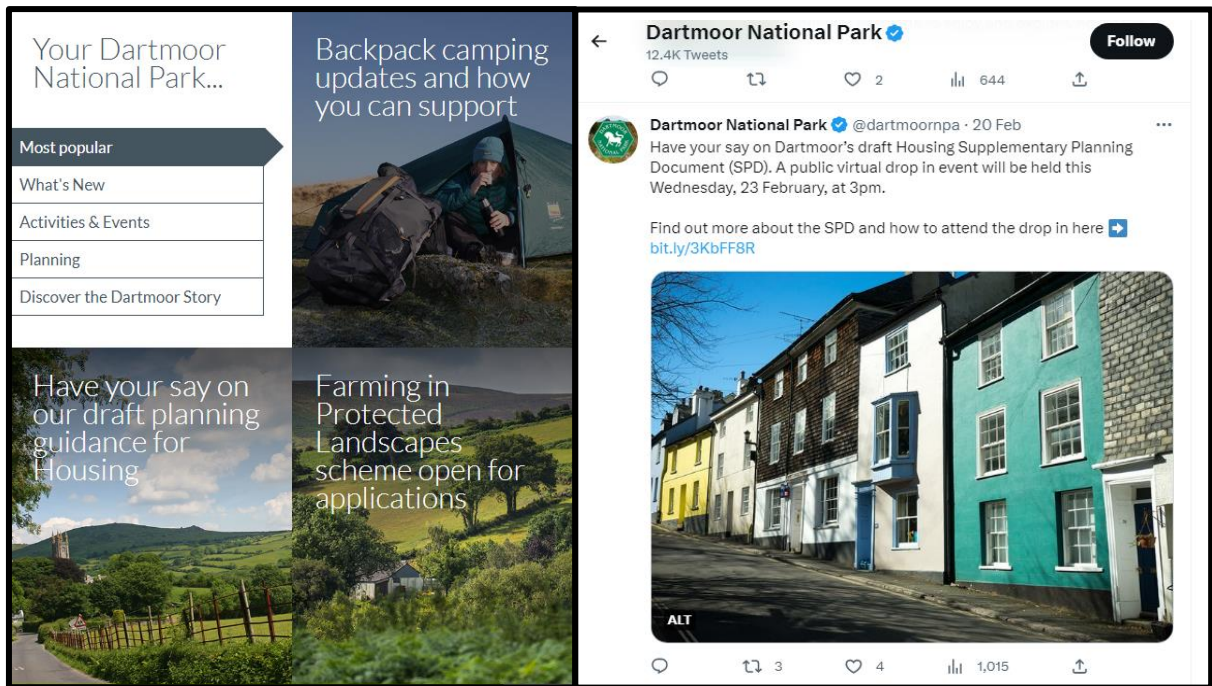


Figure 1.1 – Example publicity shared throughout the Draft Housing SPD consultation, Link to Draft Housing SPD consultation on Dartmoor National Park Authority website and Twitter post.

1.3.3 National Planning Practice Guidance confirms that SPDs do not require an SA, but may in exceptional circumstances require an SEA if they are likely to have significant environmental effects that have not already been assessed during the preparation of the Local Plan. As part of the consultation DNPA produced an SA/SEA Scoping Assessment which concluded the SPD did not require SEA. Historic England, Natural England and the Environment Agency were consulted for their views on this conclusion and, in response, all these organisations concluded they agreed.

2. Consultation Responses

2.1.1 There were 30 responses to the public consultation:

- 3 Housing Authorities (South Hams, West Devon and Teignbridge) and Devon County Council
- 6 Registered Providers of affordable housing
- Statutory Consultees
 - Highway England
 - Historic England
 - Natural England
 - Environment Agency
 - Coal Authority
- 3 Parish and Town Councils
- Devon Communities Together
- 2 interest groups for rural small enterprise
- 9 individuals

2.1.2 Responses were broadly supportive, particularly highlighting the clarity of the document and its commitment to providing guidance on detailed housing matters.

- 2.1.3 Registered housing providers and the Housing Authorities raised specific queries related to priorities for affordable housing delivery, affordable housing tenures and the operation of housing allocations. Housing Authorities, Parish and Town Councils, Devon Communities Together commented on the details of undertaking Housing Needs Assessments.
- 2.1.4 Individuals raised a number of issues, some of these were outside the scope of the SPD and which were more related to the Local Plan making process, site allocations and development management. Comments were noted and recorded for discussion as appropriate.
- 2.1.5 A summary of issues raised in relation to each section of the SPD is set out below. The Annex includes detailed comments, responses and corresponding changes made. A track changes version of the SPD is provided so proposed changes can be tracked.

2.2 Chapter 2: General principles

- 2.2.1 The flow diagram illustrating the typical process to bringing forward housing sites was well received and did not require substantive amendment. Some comments sought further detailed information, but this was not felt in scope for a summary diagram.

2.3 Chapter 3: Defining and identifying local housing need

- 2.3.1 Respondents identified some particular circumstances for identifying housing need, not addressed by the SPD, including meeting needs for settlements outside the National Park but within Parishes considered substantially within the National Park. This has been addressed.
- 2.3.2 There were significant comments on the detail of Housing Needs Assessments (HNAs), how they were to be used and process for undertaking them. Generally, it was considered providing minimum requirements for HNAs provides clear and consistent guidance on how these assessments should be carried out.
- 2.3.3 There is ongoing work needed to ensure that displaced residents, those local households in housing need who have had to move out of the parish and who can be underrepresented in HNAs, are contacted and better represented in the future.
- 2.3.4 An addition was made highlighting the potential for HNAs to identify needs of older people and those in need of adapted and supported housing. It will become increasingly important to meet these needs as Dartmoor's population ages.

2.4 Chapter 4: Affordable Housing

- 2.4.1 In response to comments from Housing Authorities the SPD has been amended to acknowledge that social rent is the preferred and most frequently needed tenure on Dartmoor.
- 2.4.2 There was strong support for inclusion of Band E ('no housing need') applicants in the definition of affordable housing need within the defined parameters. To reflect national standards the threshold portion of household income spent on housing costs was increased to 30%, from 25%.

2.4.3 Restricted staircasing of shared ownership affordable homes to 80% was raised by some housing associations and Local Housing Authorities as unfavourable to delivery as it reduces financing options and reduces development value. 100% staircasing allows an occupier to purchase the dwelling as an open market unit and is not supported by policy. The National Park is identified as a Designated Protected Area (DPA) by sections 300 and 302 of the Housing and Regeneration Act 2008, which imposes these restrictions unless the LPA agree to a waiver. As affordable housing is hard to replace in the National Park, national and local policy focus on the provision of affordable housing in perpetuity and do not enable 100% staircasing of a shared ownership home. The overriding need to retain affordable homes in the National Park has been long established, and it is considered shared ownership housing can still operate within this restriction. Indeed some other rural focussed Housing Associations continue to actively support its delivery in rural areas.

2.5 Chapter 7: Rural Workers Housing;

2.5.1 We received opposed responses with regards using minimum wage as a benchmark for the financial test when assessing applicants for rural workers housing. Respondents requested that proportionately lower earnings should be allowed where household savings are made through use of goods produced on-site. A respondent also requested that the test go further and require a 2.5% return on capital investment.

2.5.2 Detailed additions were made following internal consultation to ensure the guidance fully reflected Local Plan policy and was clear and unambiguous.

2.6 Chapter 8: Determining eligibility for different housing types

2.6.1 Several housing associations and one of the LHAs raised the issue of requiring two weeks' notice to DNPA and the relevant Parish/Town Council(s) prior to advertising vacant rental property on Devon Home Choice (at 8.2.6). The intent here is to ensure that sufficient notice is provided, and potential applicants are notified well in advance of new properties being advertised. It is acknowledged that this produces issues for quickly recycling vacant stock on re-lets and a minor change is therefore proposed to reduce the advertisement period to 1 week on re-lets.

2.7 Chapter 9: Other Housing Matters

2.7.1 In response to Housing Associations an addition was made recognising how registered providers have successfully worked with Community Land Trusts (CLTs) to bring about wider community benefits to development.

2.7.2 Several consultees noted that Nationally Described Space Standards (NDSS) may not provide enough space where specific wheelchair adaptations are required. Consequently flexibility has been added with the addition of criteria where housing providers consider increases above NDSS are required to enable accessibility or specialist equipment.

3. Detailed comments and DNPA response

Paragraph	Comment	Response
General		
General	West Devon is a Borough and not District Council	Noted, amendments made.
	The guidance could go further and include guidance related to how flood risk should be managed when bringing forwards housing sites.	Noted, although this is considered beyond the scope of this SPD.
	The SPD should include more information on improving energy efficiency in housing.	Unfortunately this was not in scope for this SPD, but will be considered for inclusion in an update to our Design Guide due to be undertaken in 2024.
	The SPD should include more information on managing infrastructure improvements over the long term.	The Infrastructure Delivery Plan (IDP) assesses the necessary infrastructure improvements over the plan period and considers how these should be funded. Reference to IDP is included in SPD.
Section 2: Bringing Forward Housing Sites		
2	The SPD presents an opportunity to set out how the sequential approach to flood risk should be applied to housing on Dartmoor.	Guidance on addressing environmental constraints is not within scope of this Housing SPD.
2.1.2	Step 3: 'All but the smallest scheme' should be defined.	Strategic Policy 3.1 provides thresholds for each type of settlement tier. This diagram is intended as a summary, it cannot provide all this detail and remain a summary.
2.1.2	The document should refer to the SHLAA and advise how this exercise informs site allocations.	Guidance on the broader Local Plan plan-making and site allocation process is not within scope of this SPD.
Section 3: Defining and Identifying Local Housing Needs		
3	Document should reference need to support provision of a more diverse supply of older persons, supported and adapted housing.	Noted, additions made to HNA guidance at 3.6.11 and further explanation at 3.7.
3.1.2	Definition of housing need should include Band E, West Devon include Band E applicants on their housing register.	Band E is an open category within the housing register and includes all households not considered in housing need. The SPD appropriately includes households in Band E where they meet the agreed definition of housing need.
3.1.2	Local Needs Custom and Self-Build: Definition of principal residence should be included.	Principal residence is generally defined for financial and tax purposes, it means someone's main residence. Addition made.
3.1.2	Gypsy and traveller: Consider provision for people wanting to move out of Gypsy and traveller accommodation into 'bricks and mortar'.	There is no scope to specifically provide for these needs in the Local Plan, other than where they arise due to a household coming into housing need. The guidance provides for this scenario, otherwise it expected for these communities to access housing through the open market.
3.1.3	Reports should be provided to support vacant building credit claims	Proportionate evidence is required to demonstrate sufficient evidence to support vacant building credit, please refer to our Local Validation List which requires a statement be submitted.

3.1.3	Further detail should be provided on what community enhancement is, and applicants should submit full reports to demonstrate compliance.	Section 11.3 sets out requirements for providing community infrastructure and/or employment space.
3.2	Concern at rate of housing lost to short term lets	This Housing SPD cannot change the adopted policies within the Local Plan and Local Plan policy is not currently able to control use of the existing housing stock for short term lets and second homes. <u>Recent Government consultation</u> proposes changes to allow for control of short term lets, which will need to be considered in the next Local Plan Review.
3.2	Suggestion that a further option be allowed for housing needs assessment refreshes, to allow for local connection testing of housing register applicants.	Amendment made to paragraph 3.6.16.
3.3	Concern there is no approach overlapping survey geographies may lead to repeat survey of some communities and survey fatigue.	Noted, this is a risk and needs to be managed with those commissioning HNAs.
3.3.1	Concern the geography of need for a Village and Hamlet could result in small settlements being expected to meet the needs of a Rural Settlement.	The needs of adjoining rural parishes are only to be considered to be met within a Village and Hamlet where there is agreement from the Parish Council.
3.3.6	Housing register data should be sufficient to justify housing need.	This approach is not supported by Local Plan Strategic Policy 3.1 and it is not within the scope of this SPD to amend policy. This situation will be assessed at the next LP Review. Housing register can be used to complement and triangulate survey results.
3.4.1	Allocations Plan should include Local Lettings Plan for terminology reasons.	Noted, addition made.
3.6.2	Clarity on who is expected to pay for HNAs.	This will be case by case and it's not possible for the guidance to identify a particular party.
3.6.2	Concern at the additional resource implications for community engagement before, during and after HNAs.	Community engagement is an important part of all HNAs and is typically supported by the relevant Council Housing team. Current practices of discussion before, during and after the survey are sufficient to meet this requirement.
3.6.2	Concern requirements to make reports publicly available conflicts with client sensitivity.	Noted, point amended. HNAs must be made public at planning application stage at the latest.
3.6.3	Displaced residents is a known issue affecting HNA results and should be addressed.	This is a known issue and requires strong community engagement to identify households that have been or are at risk of displacement. Amendments made to ensure surveys should question residents on displaced households, allow for electronic survey return, and encourage communities to forward surveys to displaced households.

3.6.8	Ensure participation in HNAs are not restricted by ill health, illiteracy, lack of access to communications, and language barriers.	A blend of paper and electronic survey, with support of the Parish Council is considered appropriate and covers most of the disadvantaged population.
3.6.10	Affordability of respondents should also consider savings.	Agreed, change made consistent with our definition of housing need.
3.6.11	There should be a benchmark response rate for survey considered to be robust.	Unfortunately this is not possible as all communities are different and the surveys are self-selecting to a degree (i.e. responses are more likely to be received by households that are in housing need)
Section 4: Affordable Housing		
4.1.3	General affordable housing provision in the National Park should not be protected in perpetuity, as it unnecessarily restricts RPs financing options.	Delivering affordable housing in perpetuity is a national and local policy matter which is not within scope of the SPD to change. Paragraph 79 of the National Park circular provides the principal basis for all affordable housing in National Parks being protected in perpetuity.
4.1.4	Taking into account Dartmoor's housing needs, social rent is the delivery priority	Noted, addition made.
4.1.4	Consider suitability of Rent to Buy to meet Dartmoor's housing needs	Rent to Buy does not provide affordability in perpetuity and is not a suitable affordable housing tenure in the National Park. It may be useful to explore how Rent to Buy discounted from OMV in perpetuity could work in the National Park.
4.2	Further recognition of the work of Housing Associations to deliver housing in the National Park is needed, and the benefits of their early engagement explained.	Agreed, additional paragraphs at 4.2.5 and 4.2.6 have been added to explain the benefits of working with rural providers early in the development process.
4.2.2	Review if affordability should be 25 or 30% of gross household income	Agreed, change made. 30% is the level of private rental affordability measured by ONS.
4.4.4	When shared ownership properties are permitted to staircase explore protecting the local tie.	Waiving of restricted staircasing on shared ownership homes is a Homes England process. Where shared ownership homes are permitted as part of a planning application, the s106 also restricts these to 80% staircasing and we would not support these being amended. In exceptional cases DNPA have supported waiving the restricted staircasing requirement on sites being delivered as 100% affordable housing, and where these units would otherwise have been delivered as open market units. Our policies do not allow for us to restrict open market units
4.4.4	Concern restricted staircasing is unworkable, raises costs for homeowners and doesn't allow RPs to finance against homes	Certain RPs do support delivery of shared ownership with restricted staircasing, recognising that this safeguards affordable housing in perpetuity and this is particularly important in rural areas where it is hard to replace. This is a Homes England policy and we do not believe there is the national or local policy framework to support removal of this

		requirement. We would welcome working with you further to understand how financing issues could be influenced in other ways.
4.5.9	Support for calculation of off-site contributions in lieu on an equivalence basis.	Noted.
4.7.6	Figure for financial contribution in lieu is too high.	The sum has been agreed on a number of applications already. Although high, it rightly encourages on-site provision rather than off-site.
4.8.8	Clarify rounding up requirements.	Amendment added.
Section 5: Custom and Self-build Housing		
Whole	Concern local needs custom and self-build housing is not mortgageable as set out in Strategic Policy 3.6.	There is no evidence to suggest this housing tenure is not mortgageable, indeed it is less restrictive than DNPA's intermediate discount market sale tenure and Government's First Homes tenure.
5.2.3	Affordable CSB should be linked to exception site plot values	Agree, amendment made.
5.2.3	When assessing CSB applicants, assessment of need should not consider ability to rent and defined by local area of need.	Agree, amendment made.
Section 6: Gypsy and Traveller Accommodation		
6.2.1	GTAA review does not include Dartmoor	Noted, reference to this removed.
6.3.2	Reference policy conflict between housing development on brownfield sites in flood zone 3a and b.	Policy 3.11 part 3d) provides necessary clarity on this issue.
Section 7: Rural Workers Housing		
7.1.8	SPD should not state 'small-scale enterprises are therefore less likely to be able to justify an essential need...' Examples provided that relatively smaller incidents have higher relative impact on smaller enterprises.	Agreed, reference to small-scale is not sufficiently defined and inappropriate. Sentence removed.
7.1.13	Application of minimum or living wage thresholds when assessing profitability should not be applied rigidly. Assessments should be focused on the financial needs of the applicants. Evidence provided of appeal decisions with Inspectors taking a broader view on assessing profitability.	Agreed, amendment added that minimum wage should be a starting point in assessing profitability and that evidence of on-site activity reducing workers financial requirement can be taken into account when assessing profitability.
7.1.13	Minimum wage thresholds should be supplemented with a requirement for a return on capital investments, to ensure businesses are viable as a going concern and can be resilient into the future.	Agreed, amendment added that a return is to be encouraged.
Section 8: Determining eligibility for different housing types		
8.2.1	Employment connection should be permanent.	This paragraph quotes the local connection criteria in the Local Plan. It is considered requiring employment to be permanent would be overly

		restrictive, particularly considering Dartmoor's high occurrence of self-employment and increasing reliance on temporary contracts.
8.2.2	Consider allowing eligibility to all adjacent parishes, not just those substantially within the National Park.	This is Local Plan policy and cannot be amended in the SPD. Its purpose is to ensure development in the National Park is focussed on meeting Local Needs.
8.2.4	Should refer to evidence, not demonstrate	Part agreed, change made.
8.2.5	Should refer to evidence, not demonstrate	Agreed, change made.
8.2.6	Two week advertisement period not workable for Housing Associations on re-lets.	Noted, re-let advertisement period reduced to 1 week.
8.2.6	Consider allowing intermediate shared ownership properties to cascade to Devon to avoid unnecessary vacancies.	The cascade of for sale housing is restricted to the National Park to ensure that housing delivery in the National Park is focussed on meeting local needs, consistent with national and local policy.
8.3	Support for definition of Housing Need including a defined portion of Band E	Noted
Section 9: General Housing Principles		
9.2.3	Acknowledge that housing associations have successfully worked in partnership with CLTs to deliver substantial affordable housing across the South West.	Noted, additional text and example provided at 9.2.4.
9.3	Housing Associations are struggling to deliver unit size restrictions and M4(2) standards.	Maximum dwelling size standards and the requirement for M4(2) standards is part of Local Plan policy (Strategic Policy 3.2) and this SPD cannot alter that policy. Viability evidence at plan-making stage does demonstrate that M4(2) standards are achievable in principle. Part 3 of that policy does allow flexibility for M4(2) where it is not desirable or possible for planning or environmental reasons, or it is not viable. A footnote has been added to Table 9.1 to clarify this.
Section 10: Community Engagement		
10.1.2	Community consultation should be good quality and take into account the full range of community views. This can assist manage community expectations regarding new development.	Noted, addition made
Section 11: Rural Exception Sites		
11.1.2	Clarify equivalent public grant.	Amendment added.
11.2.2	Requirement to demonstrate public grant is not possible where cross-subsidy is being pursued on an exception site should be stronger.	Agreed, change made.
11.2.5	Concern community infrastructure provision will reduce affordable housing delivery.	The policy provides thresholds for affordable housing delivery to ensure development still brings forward meaningful delivery. The policy

		approach allows other development priorities to be met in small communities.
11.2.5	Clarity sought on proposed control mechanisms and which will be used.	The appropriate control will be decided relative to the particular case. Wording clarified.
Section 12: Development Viability		
12.1	Concern that Vacant Building Credit can be used to disproportionately reduce the provision of affordable housing.	Concern noted, unfortunately VBC is a national policy and cannot be controlled or withdrawn by local policy.
12.1.8	Clarity required on who is paying for review of viability assessments.	12.1.8 states the review is to be carried out at the applicant's cost.



Sustainability Assessment (SA) and Strategic Environmental Assessment (SEA) Screening Statement for the Dartmoor Housing Supplementary Planning Document (SPD)

December 2023

1 Legislative background and purpose of Strategic Environment Assessments and Sustainability Appraisals

1.1.1 Strategic Environmental Assessments and Sustainability Appraisals are strategic assessments undertaken during preparation of plans or programmes:

Sustainability Appraisal (SA): a systematic process that must be carried out during the preparation of local plans and spatial development strategies. Its role is to promote sustainable development by assessing the extent to which the emerging plan, when judged against reasonable alternatives, will help to achieve relevant environmental, economic and social objectives.

Strategic Environmental Assessment (SEA): a systematic process that must be carried out during the preparation of local plans and spatial development strategies to provide a high level of protection to the environment and contribute to integrating environmental considerations into the preparation, adoption and implementation of plans and programmes to promote sustainable development. In England SAs incorporate SEAs, through the Environmental Assessment of Plans and Programmes Regulations 2004 (commonly referred to as the 'Strategic Environmental Assessment Regulations').

1.1.2 The requirement for a SEA is set out in the Environmental Assessment of Plans and Programmes Regulations 2004, which implements the requirements of the European Directive 2001/42/EC¹. Article 3 sets out the types of plans which require an environmental assessment, which includes those that set the framework for future development consent. Article 3 provides an exemption and states that an environmental assessment need not be carried out:

- a) for a plan or programme which determines the use of a small area at local level; or
- b) for a minor modification to a plan or programme, unless it has been determined that the plan, programme or modification is likely to have significant environmental effects.

1.1.3 Section 19 of the Planning and Compulsory Purchase Act 2004 requires local authorities to undertake a SA for Development Plan Documents and Supplementary Planning Documents. However the Town and Country Planning (Local Development) (England) (Amendment) Regulations 2008 removes the automatic need for an SA of SPDs. This is because SPDs do

¹ [Directive 2001/42/EC of the European Parliament and of the Council of 27 June 2001 on the assessment of the effects of certain plans and programmes on the environment](#)

not normally introduce new policies or proposals, or modify development plan documents which have already been subject to SA. National Planning Practice Guidance² confirms that SPDs do not require a SA, but may in exceptional circumstances require an SEA if they are likely to have significant environmental effects that have not already been assessed during the preparation of the Local Plan.

- 1.1.4 The Dartmoor Local Plan underwent SA and SEA at each relevant stage of its preparation and is of relevance to the Dartmoor Housing SPD. The SAs and SEAs for the Local Plan are available on [our website](#)³. The Local Plan was adopted by the Authority in December 2021.

2 Dartmoor Housing Supplementary Planning Document (SPD)

- 2.1.1 The Dartmoor Housing SPD provides additional guidance to support the housing policies of the Local Plan. The SPD:

- provides detailed guidance on how to use Local Plan housing policies;
- clarifies the Authority's expectations of housing development in Dartmoor National Park;
- helps applicants make successful and streamlined planning applications which are good for Dartmoor and its communities; and
- helps ensure the Authority makes consistent, robust and streamlined decisions on planning applications.

- 2.1.2 This Housing SPD sits alongside the Dartmoor Local Plan 2018 – 2036, adopted in 2021 and which comprises the 'Development Plan' for the National Park. Together with the Local Plan, this SPD will form a material planning consideration when we decide planning applications. It replaces the 2014 Affordable Housing SPD.

3 SA and SEA Screening

- 3.1.1 This report provides a Screening Statement on the Dartmoor Housing SPD. It sets out the result of SEA screening to date; responses from consultation bodies; determination of significant effects and; reason an SEA and SA is not required.

3.2 SA Screening

- 3.2.1 As above, the Town and Country Planning (Local Development) (England) (Amendment) Regulations 2008 removes the automatic need for an SA of SPDs. The Dartmoor Housing SPD does not introduce new policies or proposals, or modify development plan documents which have already been subject to SA. The SPD only provides guidance to support delivery of the Local Plan's housing policies, aiding interpretation and providing clarity. It is therefore considered an SA is not required.

3.3 SEA Screening

- 3.3.1 With regards SEA, the Responsible Authority (Dartmoor National Park Authority) must determine whether a plan or programme under assessment is likely to have significant environmental effects. If the SPD is considered unlikely to have significant environmental

² [Planning Practice Guidance \(Plan-making\) Paragraph: 008 Reference ID: 61-008-20190315 Revision date: 15 03 2019](#)

³ <https://www.dartmoor.gov.uk/living-and-working/planning/planning-policy/background-evidence/sustainability-appraisal-strategic-environmental-assessment-sasea>

effects through the screening process, then an SEA is not necessary. The assessment must be made taking account of the criteria set out in Schedule 1 of the Environmental Assessment of Plans and Programmes Regulations 2004, and in consultation with the Environmental Agency, Historic England and Natural England. Table 1, below, provides an assessment of all Schedule 1 criteria, and concludes an SEA is not required.

3.3.2 Dartmoor National Park Authority consulted with the above consultation bodies in January 2023 as part of the public consultation on the Housing SPD from 6th February to 27th March. All consultation bodies responded to the consultation and confirmed they agreed with the conclusions reached, no significant environmental effect.

Table 1: Assessment of the likely significant effects on the environment

Criteria for determining likely significance of effects on the environment ⁴	Significant environmental effect?	Dartmoor National Park Authority Reasoning
1. Characteristics of the Dartmoor Housing SPD		
(a) the degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources	No	The Draft Housing SPD provides more detail to the development framework established within the Dartmoor Local Plan 2018 - 2036, already subject to SA incorporating SEA. The purpose of the Housing SPD is to provide guidance and clarity to support delivery of the development framework set out in the Dartmoor Local Plan. The housing SPD does not add to or modify the development framework in the Local Plan.
(b) the degree to which the plan or programme influences other plans and programmes including those in a hierarchy;	No	The Draft Housing SPD relates solely to the Dartmoor Local Plan 2018 – 2036. Its status is beneath the Local Plan in the development plan hierarchy, and it must be entirely consistent with the Local Plan. The Draft Housing SPD does not seek to influence plans.
(c) the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development	No	The Draft Housing SPD does not relate to environmental considerations. Environmental issues are addressed by the policies of the Local Plan.
(d) environmental problems relevant to the plan or programme	No	The Draft Housing SPD does not introduce or modify a development framework. It provides guidance for delivering the framework in the Local Plan, in relation to housing. Potential environmental problems with that framework are addressed in the Local Plan, it's supporting evidence and SA/SEA.
(e) the relevance of the plan or programme for the implementation of Community legislation on the environment (for example, plans and programmes linked to waste management or water protection).	No	The Draft Housing SPD will not impact on the implementation of community legislation on the environment.
2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to		
(a) the probability, duration, frequency and reversibility of the effects	No	The Draft Housing SPD will have no impact on the probability, duration, frequency and reversibility of development in the National Park
(b) the cumulative nature of the effects	No	The Draft Housing SPD will have no impact on the cumulative effects of development in the National Park.

⁴ [The Environmental Assessment of Plans and Programmes Regulations \(2004\) Schedule 1: Criteria for determining the likely significance of effects on the environment](#)

(c) the transboundary nature of the effects	No	The Draft Housing SPD only relates to the Dartmoor Local Plan 2018 – 2036, it does not affect development frameworks outside the National Park boundary.
(d) the risks to human health or the environment (for example, due to accidents)	No	The Draft Housing SPD does not in itself or its guidance pose a risk to human health or the environment
(e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)	No	The Draft Housing SPD provides guidance for delivery of the development framework established within the Dartmoor Local Plan 2018 - 2036, already subject to SA incorporating SEA. The housing SPD does not add to or modify the development framework in the Local Plan and as such will not have any effect on the area.
(f) the value and vulnerability of the area likely to be affected due to— (i) special natural characteristics or cultural heritage; (ii) exceeded environmental quality standards or limit values; or (iii) intensive land-use	No	While the National Park is an area of high environmental value and vulnerability, the Draft Housing SPD provides only guidance for delivery of the development framework established within the Dartmoor Local Plan 2018 - 2036, already subject to SA incorporating SEA. The housing SPD does not add to or modify the development framework in the Local Plan and as such will not have any effect on the National Park.
(g) the effects on areas or landscapes which have a recognised national, Community or international protection status.	No	While the National Park is an area of national landscape importance, the Draft Housing SPD provides only guidance for delivery of the development framework established within the Dartmoor Local Plan 2018 - 2036, already subject to SA incorporating SEA. The housing SPD does not add to or modify the development framework in the Local Plan and as such will not have any effect on the National Park.



NPA/23/024

DARTMOOR NATIONAL PARK AUTHORITY

1 December 2023

Authority representation on National Parks Partnerships LLP

Report of the Chief Executive (National Park Officer)

Recommendation: That Members approve the appointment of Peter Harper as the Authority's formal representative on National Parks Partnership LLP, with effect from the date of this meeting until the next annual meeting of the Authority.

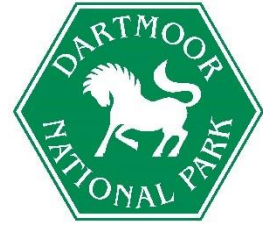
1. Background

- 1.1 National Parks Partnerships LLP (Limited Liability Partnership) was established by all 15 National Parks in the UK as a vehicle for securing commercial sponsorship opportunities of benefit to the 15 National Parks. NPP's Management Board reports to a 'governance board' comprising representatives from each National Park.
- 1.2 At the annual meeting of the Authority held in July 2023 Pamela Woods was appointed as the Authority's representative on National Parks Partnerships LLP. It is proposed that Peter Harper now replace Pamela Woods as the Authority's representative with effect from 1 December 2023 until the date of the next annual meeting of the Authority. Peter is no longer a National Park Authority representative on the Management Board of NPP and thus is able to act as a Dartmoor National Park Authority representative on the 'governance board'.

2. Summary and Recommendation

- 2.1 It is recommended that Members agree to Peter Harper replacing Pamela Woods as the Authority's representative on National Parks Partnerships LLP with effect from 1 December 2023 until the date of the next annual meeting of the Authority.

KEVIN BISHOP



NPA/23/025

DARTMOOR NATIONAL PARK AUTHORITY

1 December 2023

Withdrawal from and proposed dissolution of the Heart of the South West Joint Committee

Report of the Chief Executive (National Park Officer)

Recommendation: **That Members agree:**

- (i) **to serve formal notice of the Authority's intention to withdraw from the Heart of the South West Joint Committee; and**
- (ii) **record their support that the Heart of the South West Joint Committee be dissolved as of 31 December 2023 if that is the wish of the majority of Constituent Authorities (i.e. members of the Joint Committee).**

1. Background

1.1 In 2015 the Heart of the South West Partnership - Dartmoor and Exmoor national park authorities, 17 local authorities and three clinical commissioning groups covering the areas of Devon and Somerset (including Plymouth and Torbay) - submitted a devolution 'statement of intent' to Government and commenced discussions about a 'devolution deal'. In March 2018 the partnership formalised arrangements through the establishment of the Heart of the South West Joint Committee (hereafter referred to as the Joint Committee). Dartmoor National Park Authority is a formal member of the Joint Committee.

1.2 The specific objectives of the Joint Committee, as set out in its Terms of Reference are to:

- Improve the economy and the prospects for the region by bringing together the public, private and education sectors;
- Increase our understanding of the economy and what needs to be done to make it stronger;
- Improve the efficiency and productivity of the public sector;

- Identify and remove barriers to progress and maximise the opportunities/benefits available to the area from current and future government policy.

1.3 At the annual meeting of the National Park Authority held in July 2023 Members determined not to appoint a representative on the Joint Committee and asked officers to determine its current relevance and value with a view to withdrawing from the Joint Committee.

2. Withdrawal and Dissolution

2.1 Changes in Government policy, the development of a potential devolution deal involving Devon and Torbay, informal partnership working through 'Team Devon' and the forthcoming integration of the Local Enterprise Partnership into local authorities mean that the purpose of the Joint Committee has largely been superseded. Other partnership arrangements between the constituent authorities (especially at the Devon level) can deliver the general aims of the Joint Committee.

2.2 The inter authority agreement that established the joint Committee states that:

A Constituent Authority wishing to withdraw from the Joint Committee shall give a minimum of 6 months' notice in writing to the other Constituent Authorities via the Administering Authority. The Constituent Authorities shall co-operate with any such request.

If two or more Constituent Authorities give notice of withdrawal from membership of the Joint Committee in the same financial year, the Joint Committee shall consider and make recommendations to the remaining Constituent Authorities as to the future operation of the Joint Committee and, if appropriate, recommend any necessary amendments required to the Joint Committee's functions and operating arrangements.

Where a majority of the Constituent Authorities at any time agree (via formal resolutions) that the Joint Committee should be dissolved or terminated on a specified date then the Joint Committee shall cease to exist from that date.

2.3 It is likely that proposals will be brought forward during November and December 2023 by a majority of the Constituent Authorities for their councils/authorities to agree to serve notice and recommend dissolution of the Joint Committee on 31 December 2023.

3. Financial Implications

3.1 The Joint Committee is reliant on contributions from the Constituent Authorities for its budget.

3.2 The Administering Authority (Somerset Council) holds the balance of contributions from the Constituent Authorities. The current unallocated balance is £43,009. If the Joint Committee is dissolved then any outstanding

balance would be returned to each Constituent Authority in proportion to the contributions made.

- 3.3 If the National Park Authority serves notice to withdraw and the Joint Committee is not dissolved then we would not receive any refund of contributions (circa £1,000).

4. Equality and Sustainability Implications

- 4.1 No specific implications have been identified in terms of the equality and sustainability agendas. There is no reason why withdrawal from, and or dissolution of the Joint Committee, would impact on the implementation of the Devon Carbon Plan.

5. Conclusion and Recommendation

- 5.1 The Joint Committee is no longer an effective or required structure for partnership working; the purpose for which the Committee was established has been superseded. Even if the Joint Committee is not dissolved it is recommended that the National Park Authority serves notice of withdrawal as we have very limited capacity to engage in policy areas that are beyond our core purposes and officers do not see any value in the Authority remaining part of the Joint Committee structure.
- 5.2 It is recommended that Members agree that the National Park Authority should serve notice of its intention to withdraw from the Joint Committee and record their support for the Joint Committee to be dissolved as of 31 December 2023 if that is the wish of the majority of Constituent Authorities (i.e. members of the Joint Committee).

KEVIN BISHOP

Background Reports: NPA/19/033 Heart of the South West Joint Committee