



## Dartmoor Local Plan (2018 - 2036) Examination

### ED18 DNPA Hearing Statement 4 - Housing

Whether the Local Plan has been positively prepared and whether it is justified effective and consistent with national policy in relation to its approach to housing.

*Issue 1 SP 3.1(2) Meeting housing need*

#### **Housing needs**

**Q1. The PPG indicates that the standard methodology is not to be used to assess local housing need in National Parks and that the housing need figure should be identified using a locally determined method, using best available information on changes in households and local affordability levels. In this context was the methodology used to identify a housing need figure locally appropriate and justified by the evidence? Does that figure provide the basis for a positively prepared Plan?**

- 1.1 DNPA's approach is set out in the Housing Topic Paper [SD106] and The Housing Technical Paper [SD136]
- 1.2 The draft Local Plan aligns with the updated NPPF (2018) and the protection granted to National Parks. They are not covered by the Government's standardised methodology for calculating objectively assessed housing needs; or the Housing Delivery Test. Despite its status as a national park, the draft Plan has been positively prepared in that it nonetheless recognises that the PPG also requires plan-making authorities to undertake a policy off assessment of housing need which does not have regard to limitations, such as land supply, viability or environmental designations.
- 1.3 The challenges for a national park in determining an appropriate OAN have been acknowledged by Inspectors and other national parks at examination. For example, the Inspector for the Yorkshire Dales National Park Local Plan 2015 – 2030 (December 2016, CD169) comments that

*"...identifying an OAN for this Plan area is far from straightforward. The Planning Practice Guidance (PPG) says that the household projections published by the Government should provide the starting point estimate of overall housing need. But the national household projections relate to the District Council areas rather than the National Park...In addition, as the PPG says, establishing future need for*

*housing is not an exact science. I regard the work undertaken here to be proportionate. The NPA has relied primarily on secondary data, in line with the PPG...” (paragraphs 41 and 44).*

- 1.4 In recognising the limitations of the data, the Authority, therefore, commissioned a series of modelled scenarios considering how an OAN might best be derived.
- 1.5 11 scenarios are set out in the topic paper [SD106] (appendix 2). These range from accepting a share of national housing need (calculated at 1.2%), a share of the needs assessed and HMA level (accepting that the National Park is split across two HMAs) and treating the needs of the National Park as distinct from the wider area.
- 1.6 On the basis of the local evidence contained in the demographic forecasts the Authority concludes that the appropriate OAN for Dartmoor NPA is approximately 30 dwellings per annum. This is consistent with reflecting the local needs of a National Park. However, the OAN is only a starting point and the Authority has therefore considered how the broader housing policy objectives of the Park might be met. The technical paper summary at [SD136] describes how the housing strategy has been developed from the baseline need figure of 30.
- 1.7 In order to provide for the socio-economic needs of its communities and address the housing challenges of affordability and population decline, the Authority sought to adjust for these factors.
- 1.8 As part of demographic forecasts work for the National Park, a series of dwelling-led forecasts were prepared. The dwelling-led scenarios seek to counteract population decline, through a larger net in-migration to the National Park to support the annual dwelling growth targets. Work done in 2016 and updated in 2019 [SD128 and SD129] concluded that dwelling growth of between 50 and 80 homes per annum would begin to address these wider objectives. At 65 and 80 homes per annum resulted in population growth. The strategy considered this indicative dwelling range against:
  - Housing need, backlog and relevant market signals
  - National Park purposes, land availability and constraints to delivery
  - Development viability
  - Historic delivery
  - Stakeholder views
- 1.9 An indicative housing figure of 65 dwellings per annum is a figure which is assessed as achieving a careful balance between the statutory purposes of a national park, with limitations imposed by landscape and historic delivery rates. But also meets affordable housing need and counteracts population decline, through a larger net in-migration to the National Park to support the annual dwelling growth targets. This is set out clearly in DNPA’s overview of the Housing Technical Paper [SD136].

- 1.10 It is also consistent with a dwelling growth as a share of the Plymouth and SW Devon HMA overall.
- 1.11 The methodology used to establish objectively assessed housing need and affordable housing need is considered to align with that in the Planning Practice Guidance (PPG) available at the time. At all stages, the OAN and the resulting indicative housing figure use the most up-to-date information available at the time to test a broad range of scenarios.

**Q2. Are the assumptions made in relation to migration, household formation and vacancy rates reasonable and justified by the evidence?**

- 1.12 As described above, data is not provided at a National Park level which would readily enable analysis to the extent as may be carried out for a traditional 'Strategic Housing Market Needs Assessment' (SHMNA) without undertaking a disproportionate amount of work. DNPA recognises also that the 'standard methodology' was expressed by government as a response to disproportionate work and discussion at Local Plan hearings on the assessment of housing need. On this basis to carry out detailed SHMNA type assessment in national parks, where the general housing needs are not provided for, would be disproportionate. DNPA has therefore used reasonable and proportionate assumptions on the basis of the available evidence, aligning itself for consistency wherever possible with the assumptions and approaches of the constituent HMA analysis. This is described in Topic Paper 6 – Housing [SD106] with supporting information in the Plymouth Area Housing Topic Paper [SD126] and Exeter SHMNA [SD127]
- 1.13 **Migration:** [SD106] (paragraph 4.3.2) describes the migration scenarios considered in the Edge forecasting. These scenarios underline some of the demographic challenges facing the National Park with potential for the population to decline, an ageing population and a reduction in the number of all household groups under 64 up to 2035. Whilst not a policy-off OAN calculation they highlight the challenges in small population modelling, and led to consideration of the dwelling-led projections to inform understanding of policy-on outcomes. The 'SWOT' analysis of the modelled scenarios at [SD136] (Section 7.0) demonstrates careful consideration of the impact of different migration trend assumptions. The ORS recommendation described at 7.1 sets out that the long-term migration scenario is the most appropriate in reaching what might be the most appropriate OAN for Dartmoor (25-30 DPA) in the context of the available evidence.
- 1.14 **Household Formation:** The modelling draws from the Devon County Council dwellings projections. These are based on the direct application of headship rates from the 2014 DCLG household projections. As such the model inputs are in accordance with the DCLG methodology and follow the

approach advocated in paragraph 15 of the NPPG; to use the DCLG projections and the underlying data as the starting point for dwellings projections. This approach aligns with the that of adjoining HMA authority data.

- 1.15 **Vacancy Rates:** Housing Technical Paper [SD136] (paragraph 6.10-6.12) describe the fixed vacancy rate taken into account in the Edge scenario modelling, and that as a vacancy rate has already been taken into account in the Devon County Council population projections a further adjustment is not needed [SD106] (Section 4.5). [SD106] (paragraph 4.2.4 second bullet point) highlights the difference response the HMAs have had to vacancy rates, meaning that for DNPA there is no 'consistent' approach. The assumption therefore aligns with the best available evidence for Dartmoor National Park using the 2011 census proxy and is as consistent as possible with the approach of adjoining district authorities.
- 1.16 It is important to recognise that in the context of the level of need identified, even more notable adjustments to assumptions or uplift lead to comparatively small changes in the need figure, itself the starting point for considering of an appropriate Plan figure. Whilst not wishing to seem dismissive of the need for appropriate evidence, which DNPA considers to have undertaken in a proportionate manner, the analysis of assumptions at a relatively small level can be of limited consequence where the policy-on or Plan figure is inherently limited itself by:
- compelling evidence on the appropriateness of large-scale growth
  - the level of local need arising over time, and
  - the agreement with adjoining authorities in respect of the appropriate level of delivery on Dartmoor in meeting the broader HMA requirements.

### **Q3. How have the Plymouth and Exeter Housing Market Area SHMAs been taken into account in arriving at that figure?**

- 1.17 Active co-operation with partners is described in the Duty to Co-operate Statement of Common Ground [SD93] and appropriate framework to ensure co-operation continues in meeting need described in the Topic Paper 10 – Monitoring and Governance [SD110].
- 1.18 The Plymouth Area Housing Topic Paper [SD126] (section 5.4) describes the co-operative approach in linking evidence with delivery, which led to an agreement that the need which would be met within the Dartmoor part of the HMA (600 dwellings) would be 'discounted' from the Joint Local Plan (JLP) requirement. Topic Paper 10 – Monitoring and Governance [SD110] (Section 2.5 - Housing Delivery and Distribution) sets the framework for ensuring this is met.

1.19 In the Exeter HMA, the approach has evolved more recently following those authorities involved in preparing the Greater Exeter Strategy Plan (GESP) decision not to pursue this option. However the approach remains robust through ongoing co-operation with Teignbridge District Council with the Duty to Co-operate [SD93] describing at paragraph 7.5.11 an approach which mirrors the Plymouth HMA, stating “The GESP authorities agree that any provision within the Exeter HMA element of Dartmoor would be designed to meet local Dartmoor need, using DNPA’s locally determined methodology. In preparing the GESP, the Dartmoor Local Plan – Duty to Co-operate Statement of Common Ground - 16- February 2020 Greater Exeter authorities will consider to what extent this provision should be taken into account within the overall GESP housing targets”.

### ***Issue 2 Housing requirement/delivery***

**Q1. Is the indicative housing delivery figure of 1,125 dwellings over the Plan period (65 dwellings a year) justified by the evidence? Would it strike the right balance between addressing the socio-economic issues that the National Park faces, meeting identified local housing need and conserving and enhancing the natural beauty, wildlife and cultural heritage of the National Park? Would it help to meet the Plan’s Strategy and Vision?**

2.1 An overview of the approach to determining the indicative housing delivery figure is set out at the introduction to the Housing Technical Paper [SD136]. It describes the way in which DNPA has reached this figure, and the opportunities for scrutiny of the approach, including in particular:

- The key issues identified, set out in more detail in the Demographic Forecasts [SD128] and the Issues Consultation [SD29/SD30]
- The evidence used to identify a need figure of 30 DPA, as set out in [SD136] and Topic Paper 6 – Housing [SD106]
- Evidence which considers clearly the availability of land [SD159] and the inherent limits to the scale of growth in the National Park context in the Landscape Character Assessment [SD113] and Sensitivity Assessments [SD114-117]
- Consideration of options for distribution, delivery and sites in the Sustainability Appraisal [SD05] and Topic Paper 9 – Development Sites [SD109]
- Viability Assessment [SD91/SD91] to understand the delivery of affordable housing options and inform emerging policy
- Consideration of options and a preferred approach to a Plan delivery figure through Member engagement at the Local Plan Steering Group, Outline Housing and Economy Strategy [SD242] and Direction of Travel paper [SD55].
- Active co-operation with partners in as described in the Duty to Co-operate Statement of Common Ground [SD93] and appropriate framework

to ensure co-operation continues in meeting need described in the Topic Paper 10 – Monitoring and Governance [SD110]

- Consultation on options and a preferred strategy as described in the Regulation 22 Statement of Consultation [SD15]. The figure of 65 lies within the 50-80 range described in the Direction of Travel Paper, with the 30 DPA 'OAN' representing 45% of this, in line with the Viability Assessment [SD90/91].

- 2.2 The evidence and sequential approach described above demonstrates the appropriate and proportionate way in which DNPA has arrived at the indicative housing delivery figure for the Plan. This is embedded in the primacy of National Park purposes and a balance articulated in the National Park Management Plan [SD239], mirrored in the Vision at Section 1.2 of the Plan.

**Q2. Would the Plan's approach to include an indicative housing delivery figure SP3.1(2), rather than a housing requirement, be justified by the evidence?**

- 2.3 In the context of National Park Purposes, and the National Park Circular (2010), National Park local plans have typically not described a 'requirement' in policy. The Circular (2010) is clear at paragraph 76 in stating "The Government recognises that the Parks are not suitable locations for unrestricted housing and does not therefore provide general housing targets for them. The expectation is that new housing will be focused on meeting affordable housing requirements, supporting local employment opportunities and key services" The NPPF is clear in stating "The scale and extent of development within these designated areas should be limited" and this interpreted in the National Park context to result in a strategy which focus on local needs, not target based delivery.
- 2.4 The methodology used to arrive at this need is robust and proportionate. Fundamental, though, to the positive strategy for the delivery of housing in the National Park is a consistency with National Park purposes, striking the right balance between delivery and making the most of Dartmoor's precious finite land resource. Topic Paper 6 – Housing [SD106] (4.13.2) therefore set out a discussion which leads to the provision at SP3.1(2) (2) that development will come forward only when there is an identified local need for affordable housing. Delivery irrespective of need will lead to that precious finite land resource being used to meet general housing needs, contrary to the National Park Circular (2010). The logical extension of this, is that a requirement in the Plan, rather than a target, may also have the potential to lead to develop which is not justified by local affordable housing needs, and sites to meet a potential future affordable need are lost to speculative market housing.

- 2.5 Each National Park takes a slightly different approach, basing its understanding of need of local based drivers, reflecting capacity/constraints and the legislative context of National Park designation. Some of the most recent are as follows:
- Exmoor Local Plan (2016): “The approach to housing delivery in this Plan is [therefore] to provide positively for housing, working with estimates of housing provision through a rural exceptions approach and without a target to deliver locally needed affordable housing up to the point at which the National Park would be harmed. The indicative figure of affordable housing units needed in the National Park 2011-2031 for this Local Plan is 238 units”.
  - North York Moors Local Plan (2020): “The Plan anticipates that a minimum of 551 new homes (29 per year) will be completed between 2016 and 2035. However, decisions regarding new house building will not be driven by the number of dwellings that are to be provided; instead they will be based on whether the proposal will help to meet community needs whilst being of a quality that respects National Park purposes”.
  - Northumberland Local Plan (2020): “In terms of a housing requirement, the SHMA concluded that although low past completions would imply an upwards adjustment to the OAN, due to the physical and environmental constraints, the OAN of up to 8 dwellings per year would be acknowledged. Therefore, Northumberland National Park has a housing requirement of approximately 160 dwellings over the plan period (8 per year on average). This Plan will not allocate housing sites. Due to the very small requirement figure and reliance on windfalls, a housing trajectory was considered to have no practical purpose and has not been included in the plan.”
  - South Downs Local Plan (2019): “The National Park Authority will make overall provision for approximately 4,750 net additional homes over a 19 year period between 2014 and 2033.”
- 2.6 The Duty to Co-operate Statement of Common Ground [SD93] (paragraphs 7.5.7 - 7.5.10) describes the engagement DNPA has had with the Plymouth and South West Devon Joint Local Plan authorities in reaching agreement with regard to the indicative figure in contained in the Dartmoor Plan and, how this will be monitored at an HMA level, as described in Topic Paper 10 – Monitoring and Governance [SD110] (Section 2.5 - Housing Delivery and Distribution). This ensures that, if the level of delivery is not meeting the indicative housing number, there is a clear process for collaborative review across the HMA.

**Q3. Has the scale and distribution of site allocations and other means of housing supply been informed by the level of need for the relevant HMAs identified in their respective SHMAs?**

- 2.7 Whilst the spatial strategy is inevitably opportunity led, seeking to meet the majority of delivery in the most sustainable locations - the Local Centres, these are by definition where the majority of need arises and mostly distributed at the fringes of the National Park with a number in each housing authority area. As described above the numbers at the scale are small, and consequently a detailed distribution strategy is unlikely to be robust, and would be sensitive to small changes in land availability or site delivery.
- 2.8 Issue 1, Question 3, above, describes how the Plymouth HMA and Exeter HMA have been taken into account in arriving at the indicative housing delivery figure. The distribution of allocated sites within the HMA aligns with historic levels of delivery, proven achievable through monitoring [SD235-SD238].
- 2.9 The below table provides a summary of forecast delivery on allocated sites broken down by District.

		South Hams	Teignbridge	West Devon
Longstone Cross	Ashburton		40	
Chuley Rd	Ashburton		45	
Barn Park (land adj Wallaford Road)	Buckfastleigh		26	
Holne Road	Buckfastleigh		28	
Bretteville Close	Chagford			87
Lamb Park	Chagford			36
New Park	Horrabridge			35
Thompsons (Station Rd)	Moretonhampstead		26	
Forder Farm (Chagford Cross)	Moretonhampstead		25	
Betton Way	Moretonhampstead		18	
Adj Fairfield	South Brent	36		
Palstone Lane b	South Brent	34		
Palstone Lane a	South Brent	15		
Binkham Hill	Yelverton			41
Elfordtown	Yelverton			40
Axminster Carpets	Buckfast			40
C J Down Garage	Mary Tavy			19
	<b>Total</b>	<b>85</b>	<b>208</b>	<b>298</b>

**Q4. Would a needs based approach to housing delivery strike the right balance between providing certainty through the development plan, striving to meet the housing requirement/indicative delivery figure, delivering to meet local needs and conserving and enhancing the natural beauty, wildlife and cultural heritage of the National Park? Would such an approach provide the necessary certainty that allocated sites would come forward?**



- 2.10 Topic Paper 6 – Housing [SD106] sets a clear justification for the needs-based approach in the Plan. As described in Issue 2, Question 2, above there is a clear basis for a needs-based approach which is embedded in the National Park Circular (2010) and reflected in the aims of the NPPF (paragraph 172). This approach is established not just in Dartmoor’s extant policies (Core Strategy 2008) but consistently applied across the English National Parks.
- 2.11 This has formed a foundation for clear and ongoing co-operation with our partners, in particular the constituent Housing Authorities, and the neighbouring Local Planning Authorities which form the Exeter and Plymouth Housing Market Areas (Duty to Co-operate Statement of Common Ground [SD93] (Section 7.4-7.5.14). This need-based approach is embedded in the joint working through mechanisms such as the Joint Advisory Committee for Local Needs Housing in Dartmoor National Park, a cross authority officer and member work group which collaborates to ensure that there is a balance achieved, meeting housing need, and ensuring those partners have met their duty under the Environment Act (Section 62).
- 2.12 Topic Paper 6 – Housing [SD106] (section 8) sets out an analysis of housing delivery, with evidence of consistent housing delivery over the life of the current Plan, a delivery forecast (Table 10) informed by an agreed methodology consistent with that of adjoining authorities (Figure 7) and housing trajectory (Table 11). The Authority Monitoring Report (2019/20) provides the latest delivery figures (Section 4.12), indicating that our approach of allocating sites (Section 8.3), and an appropriate windfall allowance remains justified and robust.

**Q5. In light of proposed site allocations, is the lack of a housing trajectory justified?**

- 2.13 Notwithstanding the NPPF, we notice that most recently adopted Plans for National Park Authorities do not include a housing trajectory with the Local Plan (including the South Downs, New Forest, Northumberland). DNPA has set out the indicative delivery figure in Strategic Policy 3.1(2), a clear housing strategy, and positively planned for housing delivery. DNPA is of the view that the relatively small indicative housing number, and the small number of allocations means that a trajectory within the Plan itself will have limited value.
- 2.14 The Authority’s Monitoring Report (AMR) (2019/21) sets out a trajectory at Section 4.12 in tabular and graphical form, which is annually updated to show the latest position in respect of delivery. We prepare an annual update of site delivery at Section 8.3 of the AMR.

**Q6. Does the policy framework provide sufficient guidance to ensure consistency in the preparation and application of housing needs assessments?**

- 2.15 Housing need is discussed at Paragraphs 3.1.8-3.1.10 in the Plan and defined in the Glossary. This provides an appropriate outline of the purpose of a Housing Needs Assessment. SP3.4(2) (2) describes a clear and spatially specific approach to the requirements for Housing Needs Assessment, building upon the Authority's experience over the current Plan to provide a clearer approach to the geography of local housing need.
- 2.16 It is acknowledged that the Plan may benefit from being clearly described as needing to be undertaken in a way which is 'independent'. However the Affordable Housing SPD [SD44] sets out clearly in paragraphs 1.1-1.4 the process and requirements of a Housing Needs Assessment, which ensures they are prepared consistently, independently and applied correctly, through the support and advice of the relevant Housing Authority.

**Q7. Would the housing strategy proposed provide for a five year housing land supply on adoption and maintained? (Please provide a simple table)**

- 2.17 The [Authority's Monitoring Report](#) for 2019/20 shows that under the current indicative figure of 50 homes per year the 5-year housing land supply total exceeds the 5-year plan target total.

*5-year land supply (at January 2021)*

	Number
Residential units with current permission, but not yet under construction (minus 3% non-implementation rate)	101
Residential units currently under construction	40
5-year plan target total +5%	263
5-year housing land supply total *	329

\*Total supply of specific deliverable sites in years 2020/21-2024/25. Includes units with current permission, units currently under construction, units submitted for planning permission but not yet decided and allocated sites which have not yet come forward.

- 2.18 Further information on the Housing Trajectory in the National Park can be found in the [Authority's Monitoring Report](#), section 4.12.

**Q8. Does the Plan sufficiently promote the use of previously developed land in accordance with NPPF paragraph 118? Should the provisions set out in paragraph 3.1.13 be set within policy?**

- 2.19 DNPA undertook a comprehensive call for sites in order to prepare a Housing and Economic Land Availability Assessment [SD159]. DNPA also holds and prepares a Brownfield Register [SD193] in accordance with government requirements. [SD159] Table 11 set out the potential yield on vacant and derelict land at that early point in plan preparation.
- 2.20 Topic Paper 9 – Development Sites [SD109] summarises at Table 27 the site allocations. Of these allocations around 35% of the land area (8.8ha) and 10% of the indicative yield (46 units) is projected to come forward on allocated brownfield sites.
- 2.21 There is also important context in respect of the overall strategy and sustainability of landuse. The Employment Land Review [SD148] identifies a broad range of sites, with only limited opportunities for redevelopment for alternative uses. This is a product not just of the demand for and availability of land within the National Park, but also, recognise the limited land resource, the protection of existing business and employment sites through policy SP5.1(2) (4).
- 2.22 The NPPF (Feb 2019) at para 63 establishes the principle of the use of vacant building credits and the NPPG (paras 026- 028 Reference ID: 23b-026-20190315) provides further details for the implementation of a vacant building credit.
- 2.23 Paragraph 3.1.13 of the draft Local Plan amplifies national policy and guidance and, as such, the DNPA did not consider it should be included in policy but could remain as clarification for planning applicants.
- 2.24 However, the draft Local Plan includes at 3.1.13 the exclusion of rural exception sites from the operation of vacant building credits. This reflects the nature of rural exception sites that are, as set out in the NPPF (2019):
- "Small sites used for affordable housing in perpetuity where sites would not normally be used for housing. Rural exception sites seek to address the needs of the local community by accommodating households who are either current residents or have an existing family or employment connection. A proportion of market homes may be allowed on the site at the local planning authority's discretion, for example where essential to enable the delivery of affordable units without grant funding."*
- 2.25 It would seem perverse to allow a vacant building credit that reduces the requirement for affordable housing on sites whose primary purpose is to provide affordable housing. The Authority is of the view, if such sites do not come forward, it would not be detrimental to the Plan.
- 2.26 An example of a national park which has gone beyond national policy with regards vacant building credit is that of Exmoor National Park. The Inspector there concluded that the approach to vacant building credit did not go against the promotion of the use of previously developed land. In the case of the Exmoor National Park Local Plan, the policy referred to by

the Inspector deals with the development of market housing in conversions. The inspector's report states that:

*"While policy HC-DX represents an exception to the vacant building credit provisions in the PPG, there is no reason to suppose that it conflicts with their overall objective of incentivising brownfield development. Since development opportunities in the National Park as a whole are so limited, there are already strong incentives to explore conversion and redevelopment opportunities. Moreover the policy does not seek to prevent the residential redevelopment of vacant buildings: it simply requires a prior test to assess whether affordable housing or principal residence market housing would be viable. Consequently the policy's divergence from national policy and guidance would not undermine achievement of the latter's objectives and is justified by the particular local circumstances that exist in the National Park."*

Para 76, Exmoor National Park Local Plan, Inspector's Report June 2017

2.27 DNPA is of the view that a modification is not generally required, though, recognises that the element relating to exception sites may stretch the appropriate approach for supporting text.

### **Issue 3 Affordable Housing**

**Q1. National policy sets out that the provision of affordable housing should not be sought for residential developments that are not major developments (i.e. 10 or more dwellings), other than in designated rural areas (where the policies may set out a lower threshold of 5 units or fewer). In this context, is the approach to require affordable housing on sites of 5 dwellings or fewer justified by the evidence?**

- 3.1 National policy, as set out in the NPPF (para 63) and the NPPG (para: 023 Reference ID: 23b-023-20190901) identifies designated rural areas as areas where affordable housing can be sought in residential developments with a threshold of 5 units or fewer. National parks fall within the definition of designated rural areas.
- 3.2 The lower rural threshold enabled by the NPPF and NPPG supports the provision of affordable homes on a broader range of sites and settlements, supporting overall affordability and the resilience of rural communities.
- 3.3 Topic Paper 6 – Housing [SD106] in Section 4 (Analysis of Housing Need and Supply) identifies a need for 30 affordable dwellings per annum (para 4.14.4) which represents about 45% of the indicative delivery figure of 65 dwellings per annum. To meet the need for affordable homes, future delivery will need to increase from that achieved in recent years. [SD106] at Table 6, shows that the average rate of completions of affordable

housing over the 12 years (2007/8 to 2018/19) was around 17 per annum.

- 3.4 The AMR 2019/20 provides evidence of the importance of small sites in the delivery of housing in the National Park. In the last 10 years, 197 affordable homes have been built (across S106, exception sites and windfalls), of these 87 were on sites of 9 or less (44%). Of these, just over half (49 affordable dwellings) were delivered on sites of 4 or less.

**AMR 2019/20 - Table 12:** Completions of affordable units on small sites (<10 units), 2012-2020

Small sites	2019/20	2018/19	2017/18	2016/17	2015/16	2014/15	2013/14	2012/13
No. of affordable units on sites <10	0	9	3	3	5	23	14	6
No. of affordable units on sites <5	0	3	3	3	5	8	7	6

- 3.5 Data underlying the AMR (not published) further demonstrates the importance of small sites in the delivery of housing in the National Park. Over the years 2008/09 to 2019/20, 590 net dwellings have been completed (this figure includes rural workers dwellings, those with a certificate of lawful use and rural exception sites). Of these, 115 were on sites of 9 or fewer dwellings (30%) and 97 were on sites of 4 or fewer dwellings (25%) - including 48 single dwellings schemes. These figures highlight the importance of small sites in delivering housing generally in the National Park and, as illustrated in the table shown above, sites of under 5 dwellings make a significant contribution to the supply of affordable housing.
- 3.6 The combination of a high level of need for affordable housing and the profile of site supply, justifies the approach taken in the Plan to the size of sites above which affordable housing can be sought.
- 3.7 The principle of adopting a site size threshold below 10 dwellings is consistent with that followed in the local plans of other national parks which have been found sound at examination. Examples include:

Report on the Examination of the South Downs Local Plan June 2019 Paragraph 322

*" As concluded in connection with Matter 4 above, there is a pressing need for affordable homes in the Park. This exceeds 50% of the total objectively assessed housing need and, at 293dpa, is well in excess of the development capacity of the Park for new housing. This is in a context of market signals that housing affordability is particularly acute and of historic low delivery of affordable homes.*

*There is clear evidence that a majority of around 62% of affordable homes delivered in the Park have been on small sites below 10 and often of 4 or 5 dwellings. Given also that the policy focus of housing growth within the Park is on affordable home provision, there is clearly exceptional justification for a sliding scale of contributions for sites below the normal 10, 9 or 5 unit thresholds."*

Report on the Examination of the New Forest National Park Local Plan – July 2019

*Para 92 "'.....Given the overall housing requirement and the constraints which have led to it, it is unrealistic to expect all of this affordable housing need to be met. However, it is important that the Local Plan seeks to maximise affordable housing provision wherever possible.'*

*Para 94 'A site size threshold below that set out in national policy (as existed prior to the 2018 NPPF) is appropriate under these circumstances. The Viability Assessment which informed the preparation of the Local Plan concludes that the provision of 50% affordable housing on schemes of three or more dwellings would generally be achievable, even when taking account of the range of other policy requirements."*

3.8 It is important to note that small sites, down to 1 dwelling, were tested for their viability. Small infill sites of 1, 3, 5 and 10 dwellings were tested in both the value areas identified i.e. North East and South West. Whilst single dwellings are found unlikely to be viable with affordable housing, the modelling demonstrated small infill sites of more than one dwelling can deliver affordable housing in compliance with the plan policies provided there is some flexibility about the tenure mix. At 2019 costs and values, infill sites in the North East value area could deliver 100% affordable housing where the affordable housing was all shared ownership (but not where it was Affordable Rent); they can also deliver homes as 100% local custom and self build. In both value areas, infill sites were able to achieve 45% affordable housing on a market led development where the affordable homes are offered as affordable discount market sale.

3.9 It should also be noted that the number of single dwelling developments which have been completed in recent years, indicates that there are circumstances in which single dwelling developments will be viable.

3.10 Please refer to paragraphs 3.3 – 3.9 and figure 3.1 in [SD90].

<sup>[1]</sup> This includes rural exception sites

**Q2. What is the justification for development sites to deliver 45% affordable housing? Has this been viability tested and what is the justification for the reduction from the current Plan requirement?**

3.11 Topic Paper 6 - Housing [SD106] sets out the background information leading to the Housing Strategy statement on page 41 of the Plan, stating

that “In Local Centres land is allocated for development to meet the affordable housing needs of local people: 45% of homes on allocated sites are required to be affordable, subject to viability.”

- 3.12 The figure of 45% affordable housing aligns with both viability (para 5.3.1.1) and meeting identified affordable housing need (30 pa) as a percentage of overall housing number of 65 ([SD106] paragraphs 5.3.3 and 5.4.9).
- 3.13 Tables 3.4 and 3.5 in [SD91] and tables 3.2 and 3.3 in [SD90] show the results from viability testing the Allocated / Mixed Tenure Case Studies (general needs) with 45% affordable housing. In all cases schemes are viable but some studies are more marginal in the South West value area. The tables in the SD90 show that viability has reduced since the original viability assessment in 2018 (SD91), partly a result of cost inflation but also reflecting the impact of additional policies introduced to the draft Local Plan after the earlier viability study, in particular this includes Strategic Policy 1.7: Sustainable Construction. (Please refer to paragraph 1.5 and figure 1.1 in SD90 for full details of how policy changes were dealt with.) Nonetheless the case studies continue to show viable delivery with 45% affordable homes.
- 3.14 The viability results do demonstrate however that schemes in the South West value area would unlikely be viable at the current Core Strategy policy (COR15) position of a minimum 50% affordable housing in the local centres. Not submitted as evidence but of note is that viability modelling was also undertaken prior to the submitted viability assessments, whilst DNPA was developing its policies for affordable housing, and the resultant findings note informed the final decision on 45% being the most appropriate, i.e. deliverable, level of affordable housing from an economic viability perspective.

**Q3. Would the approach to relax the current staircasing restriction for shared ownership housing to 80% be justified by the evidence?**

- 3.15 In response to this question DNPA has sought further detailed advice from its housing consultant (Three Dragons and Associates) and Homes England. It has been identified that the current wording goes beyond what would be appropriate in a development plan, and may not accord with Regulations under Sections 300-302 of the Housing and Regeneration Act (2008) and Homes England process for applying for a waiver. This is because:
- a. The waiver can only apply to specific sites in a Designated Protected Area (DPA), not across a geographic area, because these are designated by Statutory Instrument (SI).

- b. The DPA protections require landlords to include in the shared ownership lease conditions that either: restricts the leaseholder's equity share to a maximum of 80% or ensures that once the leaseholder has acquired 100% share of the house, that when it becomes available for resale that it is sold back to the landlord
- c. A S106 agreement cannot override legislation, so this mechanism cannot be used to require pre-emption where the housing association has stated in its grant application that they will restrict staircasing.
- 3.16 On this basis, a modification is proposed which removes part of this paragraph, reducing the text to reference to the consideration of DPA waivers to Homes England where this would other mean a Registered Provider is unable to raise finance.
- 3.17 With regards viability, the testing undertaken took a cautious approach and did not factor in any future sales receipt for the affordable housing modelled. Thus any changes to staircasing restrictions on shared ownership housing will not affect the outcome of the viability testing. Details of the affordable housing viability assumptions can be found at paragraph 2.28 and Annex I of [SD91] and [SD90] Annex II.

MM48	Section 3.1	Paragraph 3.1.11-3.1.12	<p>3.1.11 The use of section 106 legal agreements is critical for securing affordable housing into the future, and provides communities with assurance that new affordable homes will continue to be available to meet local housing need. <u>Equally</u>, Section 106 legal agreements must be carefully worded to ensure they are flexible; <del>an overly restrictive agreement can mean a so</del> development or property <del>cannot</del> be financed and <u>homes are not left empty.</u> <del>therefore prevent the development from going ahead.</del></p> <p><u>3.1.12 All parishes in Dartmoor National Park are in Designated Protected Areas (DPA) (footnote - Housing and Regeneration Act 2008 Paragraphs 300 - 302) where statutory protections are also in place to ensure an ongoing supply of rural affordable housing. Within the DPA process it is possible on individual schemes for a Registered Provider to seek a waiver from these protections, including those that limit the amount of equity that a resident of a shared ownership home can buy, known as 'staircasing'. Dartmoor National Park will consider applications for such waivers on individual sites through the DPA waiver process where applicable and with the agreement of relevant local authority and Homes England. Where schemes are not funded through Homes England consideration will be given to a waiver with the agreement of the relevant local authority.</u></p> <p><del>Staircasing on shared ownership properties, where the owner of a shared ownership home buys a larger share of the property, is one such issue. In a rural area, the owner would not normally be allowed to buy the whole property (or 'staircase' to 100%) to ensure the benefit of the affordable home remains in the community. However some lenders are not currently supporting such restrictions. As such, in order to enable development to come forward, 100% staircasing will be allowed in Local Centres</del></p>
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			<p>and Rural Settlements where this is supported by Homes England. A section 106 legal agreement provides for a right of pre-emption, where the Housing Association and/or Local Housing Authority have the right to buy the property before it is offered on the open market. It also requires that, where someone does acquire 100% of a shared ownership property, a local occupancy restriction remains on the property in perpetuity.</p>
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**Q4. Would the policies generally provide effective wording that encourages and enables delivery of affordable housing, without placing unnecessary restrictions that would frustrate delivery?**

- 3.18 The policies in Section 3 (Housing) of the Plan are clear, flexible and supported by additional graphical illustrations which ensure they are clearly understood. The allocations, which form the majority of the housing pipeline over the plan period, are also supported by the Development Site Brief [SD175-191], each identifying the general requirements of policies, and any specific requirements associated with that site.
- 3.19 Restrictions which are applied through policy have been evidenced based, carefully considered, consulted upon and assessed for viability. These are discussed individually within this Statement where they arise. They seek to strike an appropriate balance between meeting the aspirations and needs of communities for an appropriate amount of genuinely affordable housing, without placing on that such restrictions as to means development does not come forward. This also forms a key part of monitoring; the Authority Monitoring Report [SD235-238] and Topic Paper 10 - Monitoring and Governance [SD110] demonstrate a robust framework for monitoring of delivery and appropriate response to non-delivery.
- 3.20 As set out in full in the response to Matter 11, Section 1, Issue 1, the policies affecting the viability of housing generally, and affordable housing in particular, were subject to rigorous testing. SD91 and SD90 set this out and conclude that, with very limited exceptions, residential development as set out in the Local Plan is viable. Poor viability should not frustrate delivery.

***Issue 4 SP 3.2(2) Size and accessibility***

**Q1. Would the requirement for all new housing, (including affordable housing and custom and self-build housing) to meet and not significantly exceed the nationally described technical standards be justified by the evidence? Would such a requirement accord with NPPF paragraph 127 and footnote 46 and the PPG which sets out the range of evidence required to justify such an approach?**

- 4.1 Evidence to support this approach is presented in these principal areas of the evidence base:
- section 4.2 of the Design and Built Environment Topic Paper [SD103] presents that space standards as an important benchmarking tool in assessing new housing
  - Section 6.8 and 9.1 of the Housing Topic Paper [SD106] presents the case for the use of space standards on both private market and affordable dwellings
  - The Whole Plan Viability Assessment [SD91] assesses the impact on development viability
- 4.2 The principal justification for application of technical space standards in Policy 3.1 (2) is to ensure that affordable, market and self-build housing is best placed to meet the housing needs of Dartmoor's communities.
- 4.3 The Government Circular and Vision for the National Parks and the Broads (2010) states "The Government recognises that the Parks are not suitable locations for unrestricted housing and does not therefore provide general housing targets for them. The expectation is that new housing will be focused on meeting affordable housing requirements, supporting local employment opportunities and key services.
- 4.4 The provision of market housing in the National Park allows for the provision of affordable housing through cross-subsidy. Consistent with the Circular this market housing should also contribute to meeting market needs within the National Park, particularly where they support local employment and key services. Evidence throughout the Housing Topic Paper [SD106] (such as section 3) demonstrates the housing affordability issues facing those on average incomes in the National Park. The Economy Topic Paper [SD108] sets out the difficulties local businesses have accessing labour and highlights that this is likely to worsen significantly as the population ages (summarised at section 4.7). The best way to ensure new market housing is able to meet local needs and thereby support local employment is to ensure housing is available at a price point accessible to those on average incomes. Space standards present an appropriate way the planning system can ensure that houses are modestly sized and are best placed to meet local needs in the National Park.
- 4.5 Evidence provided in section 3 of the Strategic Housing Market Needs Assessment provides an overview of Dartmoor's housing stock in relation to Plymouth, West Devon and South Hams. Dartmoor's housing stock is consistently less efficiently occupied than that of neighbouring districts (e.g. Figure 3.9). The 2021 draft South Hams Housing Strategy provides some insight into this and how it affects affordability:

*"Household sizes have been getting smaller for a number of years, and this trend is projected to continue well into the medium term, and is just as*

*applicable to rural areas as it is for urban areas. The difficulty this creates is that with every passing year the housing stock of South Hams and West Devon is becoming less aligned with the needs of the households that live in these areas. Combine this with the fact that larger homes typically cost more in South Hams and West Devon than in many other parts of the country, and you get a formula for further economic and social displacement for people living here. Of course many people will choose to under-occupy their home because it allows for flexibility of use like working from home or for accommodating occasional guests."*

- 4.6 Application of technical space standards can help ensure that new homes are best placed to meet local needs for affordable and market housing, in turn this also support local employment and services.
- 4.7 The viability testing undertaken conformed to nationally described technical standards and, for affordable housing, did not exceed 93m<sup>2</sup> i.e. a 2 storey, 3 bedroom property for 4 people as set out in the standards. Larger market houses were modelled for viability testing purposes - to a maximum of 120m<sup>2</sup> for a 4 bed detached property. Please refer to Annex I (Section 3) in [SD91] and Annex II (Section 3) in [SD90].
- 4.8 A similar approach has been taken in the New Forest National Park and was found sound. In this case, Policy SP21 of the Local Plan seeks to restrict new dwellings in the National Park to a maximum total internal habitable floor area of 100 square metres. The Inspector concluded in their report (paras 80 and 81) that:

*"The 100 square metre limit does not comply exactly with the specific floorspace parameters set out in the Technical Housing Standards published by DCLG in 2015; however, these are only minimum standards. Although the limit is a blunt policy tool, it is nevertheless, simple and effective. Moreover, the limit would enable the provision of one, two, three and, albeit small, four bedroom houses under the policy which should be sufficient to meet most housing needs that arise..."*

*Taking into account the above, the approach of focussing on smaller units is supported by evidence and justified. Furthermore, by seeking to re-balance the housing stock, the approach is effective and consistent with paragraph 50 of the NPPF which seeks to ensure that local planning authorities plan for a mix of housing."*

New Forest National Park Authority – New Forest National Park Local Plan, Inspectors' Report 24 July 2019

- 4.9 Similarly, the inspector examining the Exmoor National Park Local Plan concluded that:

*"The Plan seeks to achieve a more balanced housing stock by setting a size limit for most new dwellings. This is a continuation of the approach in the 2005 Local Plan which has seen more smaller homes coming forward in recent years. The*

*dwelling size limit is an important element in the Plan's drive to keep down the cost of new housing so that it is affordable to local residents. It will also ensure that efficient use is made of the limited capacity for new development in the National Park. Given that there is already a wide range of larger houses in the Park<sup>24</sup>, I see no grounds to suppose that the limit will harm the local economy by discouraging business people, for example, from settling there."*

Exmoor National Park Local Plan, Inspector's Report June 2017, para 91

## **Q2. Would the application of Building Regulations M4(2) for accessible and adaptable dwellings and M4(3) be justified by the evidence?**

- 4.10 This matter is addressed by evidence presented in section 4.1 of the Design and the Built Environment Topic Paper [SD103]. The evidence presented is considered to accord with the evidence requirements of National Planning Practice Guidance, in particular 'Housing: Optional technical standards' (Paragraph: 007 Reference ID: 56-007-20150327). The M4(2) standards have been applied to all housing to help mitigate against Dartmoor's high proportion of inaccessible housing stock and acute ageing population. This approach has also undergone viability testing in the Whole Plan Viability Assessment [SD90 and SD91].
- 4.11 Policy 3.2 (2) 3 and Policy 3.2 (2) 4 regarding accessible and adaptable homes were accounted for in all viability testing. Please refer to paragraph 2.26 and Annex I (in the table on p45) of SD91 for details of how this policy was applied. Costs were based on the Housing Standards Review (EC Harris) for DCLG September 2014.

## **Q3. What is the justification for further size restriction on private affordable housing?**

- 4.12 Topic Paper 6 - Housing [SD106] sets out a detailed discussion (Section 6.5-6.8) drawing on the authority's extensive experience of successfully delivering affordable housing in this way. As discussed at [SD106] (6.5), a key principle is that properties built via this route must be of a sale or rental value which is within the reach of a qualifying person; the Authority has expressed that this would be flexible on property size subject to an appropriate discount rate as necessary. Size and specification are important – high quality design is essential in the National Park, so a careful balance must be struck between good quality development and one that could be valued such as to be unaffordable to the people who are actually in housing need. These factors are detailed in the Affordable Housing SPD [SD44], paragraphs 3.5-3.9.
- 4.13 Further information relating to this is also included at Issue 4, Question 1 (above).

### ***Issue 5 Policy 3.6(2) Custom and self-build housing***

#### **Q1. Would this policy provide the necessary flexibility to ensure that demand for self and custom build housing in the area is met in accordance with the provisions of the Housing and Planning Act 2016?**

- 5.1 Evidence to support this policy is set out in section 6.10 of the Housing Topic Paper [SD106]. The policy represents a significant shift in position compared to existing policy. The approach allows local needs self- and custom-build housing to come forward which isn't required to be affordable housing. It is believed that this additional flexibility will go much of the way to enabling the need identified through the self-build register to be met.
- 5.2 DNPA was, jointly with Exmoor National Park, a government Right to Build Vanguard. This led to a greater level of understanding of this policy area, but in particular highlighted the challenges in the National Park context of delivering plots given an absence of publicly owned land, which can be a positive way of accelerating delivery of plots. Furthermore DNPA's role as Vanguard led to a significant interest in the Register, with high numbers registering which subsequently did not actively engage. Following the Vanguard DNPA has permitted to custom and self-build schemes of 4 affordable self-build homes at South Tawton, and 17 (12 affordable) custom build homes at South Brent. DNPA has established a clear monitoring approach in line with government reporting.
- 5.3 Local needs custom & self-build housing was tested for viability on a series of infill site case studies. For a description of how assumptions were applied to the modelling please refer to paragraph 2.35 of [SD91]. The results of the modelling demonstrated that local needs custom & self-build was viable and deliverable on infill schemes of 3 or more dwellings in the North East value area. Although results were not viable in the South West, this was not by a significant amount and may not necessarily preclude such schemes from coming forward. 2019 results for local needs custom and self-build are shown in figure 3.1 of the viability addendum report [SD90].

#### **Q2. Is the size restriction set out in 3.6(2)2a justified by the evidence? Would it be unduly restrictive in light of the need for an occupant to actively determine design?**

- 5.4 Justification for the size restriction associated with this policy are set out in section 6.10 of the Housing Topic Paper [SD106]. The size restriction is justified to ensure that where local needs custom and self-build is delivered in-lieu of affordable housing, it is of a size which helps ensure that the property is still able to meet local needs in perpetuity. Given the

significant affordability issues the National Park's communities face in accessing housing and that it is not appropriate for the Authority to uplift housing delivery to help address this, the size restriction helps ensure this housing model does not undermine people's ability to access housing and is considered to be justified. The size restriction is not applied to housing which would not otherwise be required to be affordable.

- 5.5 Policy 3.6(2) was tested for viability at 3.6(2)2b (local needs custom and self-build housing: house restricted to 93m<sup>2</sup> and occupation by a Local Person in perpetuity). The assumptions and results of the modelling are described in answer to matter 4.5-2 above.
- 5.6 3.6(2)2a was not viability tested and we would consider that affordable housing of this type may or may not come forward dependent upon availability of land at discount and housing need / income of purchaser
- 5.7 This is described also at Issue 4, Question 3, above.
- 5.8 The approach of does not limit the ability for the occupant to determine the design. Many custom and self-build developments will come forward under a design code framework which will set limitations on footprint, massing, height etc, and active design can be achieved within these criteria.

***Issue 6 Policies 3.7(2) Residential alterations, extensions and outbuildings and 3.8(2) Replacement homes***

**Q1. Would the design expectations set out in paragraphs 3.8.9 provide sufficient flexibility to reflect the wide range of dwelling types within the National Park? Are modification/s required to clarify that those design expectations should inform design rather than read as policy requirements?**

- 6.1 The principles are intended as guidance for applicants in how to achieve subservient design required by part 1. a) of Policy 3.7 (2), they do not form part of policy. The expectations do reflect guidance in the Design Guide which policy requires is respected.
- 6.2 The principles will apply to the vast majority of dwelling types, however there will always be exceptions and the policy does allow for these to be tested against the policy criteria on a case by case basis. This said DNPA do feel the interpretation of these principles could be clarified further through a simple modification, and this would not undermine the intent of the principles or their effect. DNPA would therefore request the Inspector consider the following Main Modification to help clarify this matter:

Ref	Section/ Policy	Paragraph / part	Main Modification
MM49	3.8	3.8.9	<u>It is an important element of policy to ensure that residential extensions are subservient to the original dwelling and respect its original</u>

			architecture. In most cases this can be achieved by following. To ensure the National Park retains high standards of design residential extension will be expected to follow these basic design principles:
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**Q2. What is the justification for the base date to calculate 'original dwelling'?**

- 6.3 Evidence to support the approach for Policy 3.7 (2) and 3.8 (2) is set out in section 9.3 of the Housing Topic Paper [SD106]. Setting a date threshold for the original dwelling is a complex task, there is no perfect answer. The date chosen needs to reflect our records and therefore ability to enforce the date fairly across all applications. The date also needs to correspond with the National Park, its designation and establishment of its purposes.
- 6.4 1 April 1995 is sufficiently recent that we have aerial footage from this time to support officer's decisions. It also corresponds with the most recent primary legislation for National Park Authorities, the Environment Act reformulated National Park purposes, introduced independent Authorities, and set out the duty for all public bodies to have regard to National Park purposes. On this basis the date is considered a robust threshold against which to test applications.

**Q3. NPPF paragraph 53 and PPG, together advise that planning conditions should not be used to restrict national Permitted Development (PD) rights, unless there is clear justification to do so and that conditions restricting the future exercise of PD rights may not pass the test of reasonableness or necessity<sup>1</sup>. In light of this, would each policy reflect the 'exceptional circumstances' required to justify such an approach?**

- 6.5 Evidence to support the approach for Policy 3.7 (2) and 3.8 (2) is set out in section 9.3 of the Housing Topic Paper [SD106]. Policy seeks to limit the size of extensions and replacement dwelling for two reasons:
- 1) To maintain a mix of dwelling sizes and ensure a stock of more affordable dwellings are preserved for the benefit of future generations.
  - 2) To conserve the character and scale of existing dwellings and ensure they are not dominated by new development.
- 6.6 These policy purposes would be undermined by permitted development rights being used after planning permission had been granted and would make fair and effective application of the policy more difficult. The most effective way to safeguard against permitted development rights

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<sup>1</sup> 1 PPG ID 21a-017-20190723

undermining the policy purposes is to remove them at the grant of permission.

- 6.7 Given that National Parks' national policy framework does not allow for volume housebuilding to offset the loss of smaller and more affordable housing stock, this position is considered one of the only ways in which the Authority can influence the housing market and help ensure that some level of affordability is maintained for the benefit of Dartmoor's future generations.

**Q4. Overall, would the policies provide sufficient flexibility to enable working people to stay within their communities and maintain a stock of more affordable accommodation to attract workers?**

- 6.8 The policy position provides flexibility for occupants to alter and extend their properties to meet their needs whilst also ensuring that this is balanced against the need to maintain a stock of smaller houses to meet local needs.
- 6.9 Importantly, the proposed revised policy now ensures the 30% floorspace restriction is benchmarked against the Nationally Described Technical Space standards to ensure that those currently living in sub-standard accommodation spatially are not unfairly restricted from meeting their needs.
- 6.10 The 30% size restriction and design considerations are considered reasonable to safeguard against over-extension of smaller dwellings and prevent widespread loss from the housing stock. This is consistent with existing policy and which assists ensure our approach to development management is consistent and effective between Local Plans.

***Issue 7 Policies 3.9(2) Rural workers' housing and 3.10(2) Residential annexes to support farming***

**Q1. What is the justification for the maximum internal gross floor area and would such an approach provide sufficient flexibility to reflect the functional need of individual holdings? Would the approach taken to anti-severance agreements provide sufficient flexibility to support businesses?**

- 7.1 Justification for the proposed maximum floorspace standard and the requirement for anti-severance obligation for rural workers housing is presented in section 6.14 of the Housing Topic Paper [SD106]. Both these measures have been introduced to better control new rural workers housing to ensure that it meets the needs of future farming generations. Current patterns in the approval of rural workers housing are not sustainable and will undermine the Authority's ability to pursue its purposes in the future.
- 7.2 The anti-severance obligation proposed properly protects against workarounds in the planning system and ensures that housing and the land it is intended to serve are tied. This approach has been justified in



other National Parks, including in Policy DMH4 of the Peak District National Park Authority's Development Management Policies DPD.

- 7.3 The proposed space standards provide clear guidance on the appropriate sizing of rural workers housing to ensure they can continue to meet future as well as present needs.

**Q2. Would the restriction of PD rights, as set out in policy 3.10(3)C meet the 'exceptional circumstances' test required to justify such an approach?**

- 7.4 Policy 3.10 (2) allows for the creation of residential annexes on farms to support succession and the needs of workers. This is supported by evidence in section 6.8 of the Economy Topic Paper [SD108]. This new allowance is not currently supported by policy and needs to be carefully managed to ensure it is appropriately sized to support the long-term sustainability of rural worker housing and ensure it can meet future as well as present needs.

***Issue 8 Policy 3.11(2) Gypsy and traveller accommodation***

**Q1. In the absence of any allocations to deliver gypsy and traveller accommodation, would the Plan be likely to meet the need identified in the most recent Gypsy and Traveller Accommodation Assessment for Devon (2015)? Is the approach to include a criteria based policy to meet that need based on robust evidence?**

- 8.1 Topic Paper 6 - Housing [SD106] describes at section 6.12 the low level of need identified through the GTAA [SD132]. DNPA has permitted Gypsy and traveller accommodation under its current criteria-based policy (DMD29) (6 pitches permitted in 2015). Its successor in Policy 3.11(2) providing a more positively worded approach, and without the requirement for the site assessment matrix set out in the extant Plan (Annex 1).
- 8.2 The call for sites for the Land Availability Assessment [SD159] sought opportunities for Gypsy and traveller accommodation; none were forthcoming. Greater confidence in delivery could be achieved through the allocation of land, however DNPA does not consider this a reasonable response to meet the need given:
- The level of need is very low, and an allocated site would therefore be very small, or potentially overprovide for the need
  - Land was not forthcoming in the LAA [SD159] to meet the need
  - Were a site more proactively pursued the eventual location of this may not meet the need, as with such a low level of need, the ability to match it against site availability across the National Park is limited
  - The criteria-based policy has proven effective in permitting pitches commensurate with the level of need

- DNPA works co-operatively with Devon County Council, and the respective Housing Authorities to understand supply and need and respond as necessary and will continue to monitor and respond to identified need.

8.3 On this Policy 3.11 is considered the most appropriate and proportionate response to meeting Gypsy and traveller accommodation needs.

**Q2. Would the requirement for the need for the development to be demonstrated through a Gypsy and Traveller Accommodation Assessment be reasonable, and would the policy be effective, given the timing for production of such assessments?**

8.4 Given the approach in the National Park of needs-based housing delivery, it is appropriate and consistent that the development to meet the needs of Gypsies and travellers is also based upon an understanding of local need. The GTAA (2015) is currently considered up to date and a reasonable and appropriate assessment of need relating to the National Park, such evidence may also be reasonably supplemented by evidence of the housing register and/or annual caravan counts at application stage.

**Q3. Is a modification required, in the interests of soundness, to acknowledge that 'highly vulnerable' uses such as residential mobile and park homes (as opposed to camping and caravan sites) should not be permitted in the high probability floodplain?**

8.5 For clarity, a modification is proposed which ensures the policy criteria is consistent with NPPF paragraph 163 and Planning Policy for Traveller Sites (2015).

MM50	Policy 3.11(2)	(d)	d) take a sequential approach to the use of previously developed land and <u>not be located in areas of high</u> flood risk, consistent with other policies in this Local Plan.
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***Issue 9 Policy 3.12(2) Low impact residential development***

**Q1. Would the requirements for this type of development be reasonable and proportionate? Would the policy strike the right balance between enabling low impact residential development and conserving the natural beauty, wildlife and cultural heritage of the National Park?**

9.1 Evidence to support this Policy is provided at section 9.13 of the Housing Topic Paper [SD106]. There are sufficient safeguards in the policy that ensure this type of development will not come forward in locations or be of a form that would harm the National Park's special qualities. The policy requirements are closely based on Wales' extensive experience delivering this policy and Dartmoor's experience delivering its existing policy, the criteria are considered reasonable for ensuring development of this nature does not cause harm. The policy position also advances various aspects of the existing policy (DMD30) to ensure it is clear for applicants and decision-makers.

**Q2. Is a modification required, in the interests of soundness, to provide clarity on the timeframe within which compliance with a business plan should be achieved? Should a monitoring mechanism be included?**

9.2 DNPA has proposed three Main Modifications (MM14, MM15 and MM16) which introduce a timeline within which compliance with a business plan should be achieved. This is in response to representations at the Regulation 19 stage, in particular respondent number 0175, representation 1. A monitoring mechanism would be needed to appropriately enforce this element of the policy, however the policy does not specify this in detail and so as currently drafted this would allow officers to determine an appropriate approach on a case by case basis. However, it is conceded that as drafted it may not be clear to applicants that this requirement would need to be met at both the application stage and 5 years after first occupation. DNPA would therefore request the Inspector to consider the following Main Modifications to help clarify this matter:

Ref	Section/ Policy	Paragraph / part	Main Modification
MM 51	Policy 3.12 (2)	1	<u>1. Low impact residential development will be permitted where:...</u>
MM 52	Policy 3.12 (2)	2	<u>2. Where the above is satisfied permission will first be granted:</u> <u>a) for a temporary period of up to 6 years; and</u> <u>b) subject to the condition that at five years from the development's first occupation a Monitoring Report is submitted to the Authority reporting on how the requirements of this policy have been achieved.</u>
MM 53	Policy 3.12 (2)	3	<u>3. Following the grant of temporary permission, permanent permission will only be granted where the Authority is satisfied the policy requirements have been satisfied and can continue to be satisfied into the future.</u>

**Q3. For soundness purposes, are other modifications required to the policy and supporting text to ensure that together they are effective, unambiguous and clearly set out how a decision maker should react to such development proposals?**

- 9.3 Further to our answer to question 2 above, DNPA does not consider that further modifications are necessary other than those already proposed in MM14 and MM15.