

COMMENT FORM

Final Draft Local Plan Consultation: 16 September – 1 November 2019

Your comments will help us and the Inspector to identify any issues with the Plan relating to soundness, legal compliance and compliance with the Duty to Cooperate, and any changes to the Plan which may therefore be needed prior to adoption. Please carefully read the [accompanying guidance](#) before answering the following questions.

Responses must be received by 5pm on Friday 1st November 2019 for your comments to be taken into account. View the Dartmoor Local Plan (2018-2036) Final Draft at www.dartmoor.gov.uk/localplanreview,

PART A - About You

Personal details

First name *	James							
Surname *	Shorten							
Address	[REDACTED]							
Post code	[REDACTED]							
Email address *	[REDACTED]							
I am completing this form as (choose one)	A resident		An agent	Y	A Town / Parish Council		An organisation	
	A business		A visitor		A statutory agency		Other (specify below)	
Other								
Job title (where relevant)	Director							
Organisation (where relevant)	Geo							
On behalf of (where relevant)								
Did you submit comments on the Regulation 18 (First Draft) Local Plan?	Yes		No	N				

* Required field

Data Protection Act 2018

Your personal data will be securely held by Dartmoor National Park Authority for the purpose of assisting with the Local Plan Review process. To ensure an effective and fair examination, it is important that the Inspector and all other participants in the examination process are able to know who has commented on the plan. For the purposes of the examination, we will share your personal details and representation with the Inspector appointed, and publish your name and representations as part of a report on our website. For more information please refer to our [Forward Planning Privacy Notice](#).

Tick the box below if you would like to be added to our Local Plan consultee database and kept up to date with the Local Plan Review process and other planning policy matters.

Y - I would like to be added to the Local Plan consultee list

PART B - Your Comment

Please carefully read the [accompanying guidance](#) before answering the following questions.

Your comments should relate to specific areas of the plan, so please tell us the policy or paragraph number that your comment relates to. If there are areas which you believe not to be sound or legally compliant, please tell us why, and what changes you deem necessary, sharing any evidence you have to support your proposed changes.

If this is a report or any other document which cannot be shared via this form then you can email it to us at forwardplanning@dartmoor.gov.uk.

1. Please tell us which paragraph or policy your comment relates to

Paragraph (enter number, e.g. 4.5.1)	Section 3.11 Low Impact Residential Development
Policy (enter number, e.g. 4.5)	Policy 3.12 (2)
Policies Map	N/A

2. Please carefully read the accompanying guidance and tell us if you consider the Local Plan to be:

	Yes	No
i) Legally compliant		
ii) Sound		N
iii) Compliant with the Duty to co-operate		

3. Please tell us why you have answered **yes** and / or **no** to the question above.
Fully explain your reasoning and try to be as precise as possible.

The NPA are to be commended for including this important policy in their Local Plan. Finding ways in which people may settle land with greatly reduced impacts and greatly increased benefits is a key element of the response to the Climate and Ecological Emergency.

Addressing the issue of soundness I consider the policy to have been positively prepared, justified and consistent with National Policy, but have concerns regarding effectiveness, as explained below.

The policy contains some internal contradictions which may render it confusing and may risk it not meeting is specified objectives. I also feel that there would be considerable benefit in the policy not just focusing on development of a low impact but also on the potential for development to be regenerative. As the policy draws heavily on extant Welsh policy and guidance it could be improved drawing on that experience. Please see the continuation sheet for further details.

[Additional space on final page]

4. If you do not consider the Local Plan to be legally compliant or sound, please tell us what change(s) (or 'modifications') you consider necessary to make the Local Plan legally compliant and/or sound, and **why** these changes will make the Local Plan legally compliant and / or sound.

Please see the continuation sheet for further details.

[Additional space on final page]

Please note: where changes to the Local Plan are proposed, your comments should provide concisely all the evidence and supporting information necessary to support your suggested changes. You may not have a further opportunity to submit this evidence.

5. If your representation seeks a change to the plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in hearing session(s)	Y	Yes, I wish to participate in hearing session(s)
--	---	--

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

This is a specialist policy in which I am a leading expert. At the Hearing I will be able offer my advice and experience to assist in improving the policy, understanding that this is a relatively complex and specialist policy area.

Thank you for sharing your comments on the final draft Local Plan for Dartmoor. If you have more comments to share, please complete parts C-F below.

Following this consultation, the final draft Plan along with all comments made will be submitted for examination by a Planning Inspector. The Inspector will consider whether the plan complies with the relevant legal requirements and whether it is sound (see guidance). Keep up to date on our progress by [signing up to our Local Plan consultee list](#), and following us on Twitter [@DartmoorPlan](#) and Facebook [/DartmoorPlan](#)

PARTS C – F OF THIS FORM ARE NOT USED AND HAVE BEEN DELETED TO SAVE SPACE.

Additional space (please tell us which question you are continuing from):

The policy draws strongly on the One Planet Development (OPD) policy from the Welsh Government. We now have eight years (from 2011) of experience of that policy, for which detailed Practice Guidance was issued in 2012. I am the main author of the Practice Guidance and have worked on a range of OPD proposals since its publication. I now live and work in the area.

OPD has been a policy success. There are now more than 29 OPDs consented.

Policy 3.12 (2) draws the following from Welsh OPD Policy:

- Business and Improvement Plan (referred to as simple the Management Plan in the Practice Guidance)
- Ecological Footprint Analysis
- Zero Carbon Analysis
- Landscape and Visual Assessment, Biodiversity Assessments
- Travel Plan and Transport Statement or Assessment.

Drawing on the Welsh experience it is suggested that proposals be accompanied by a detailed Management Plan covering how all of the requirements of the policy will be achieved, which may then be conditioned as a means of regulating the development.

The policy lacks the benefit of detailed Practice Guidance, which has proved invaluable for Wales. This, of course, is not policy, and it is understood that policy must set a framework, but this framework should also be fully workable in terms of more detailed guidance which may follow, and in my view would be very beneficial.

My comments are organised in terms of the DNPA policy.

Settlement Strategy – the policy is potentially confusing in that it states both:

- a) the proposal is located within, adjoining, or well-related to a Local Centre, Rural Settlement or Village and Hamlet;*
- b) the proposal is proportionate in scale to the settlement it relates to;*

and

- g) where located outside a settlement, the proposal requires a countryside location, involves agriculture, forestry or horticulture and is tied directly to the land on which it is located;*

In order to meet the majority of the needs of occupants in terms of income, food and energy, and also to assimilate wastes, development will need to be fundamentally land-based in order to grow food and biomass, and provide space for composting, which criterion h) sensibly requires. Sites adjoining settlements may not offer sufficient land. Rather than seeking to fit such development into a traditionally-used planning settlement hierarchy a more effective approach would be to require that sites are well suited to meet the majority of the needs of occupants in terms of income, food and energy, to organic assimilate wastes, and also able to be access via low carbon means services and facilities necessary to occupants. This would cohere with the need for a Transport Statement and Travel Plan. Low carbon means include public transport, e-bikes and other electric vehicles capable of being powered by the resources of the site, and cycling and walking.

Positive Contributions – criterion c) is welcome, however it may be better framed in terms of the NPPF's terminology 'net gain'.

Regenerative as well as Low Impact – that development can have an unusually low impact is important, but misses the opportunity that development might also be regenerative, meaning that in addition to having low negative impacts it may also have positive impacts which can serve to regenerate aspects of the site's environmental features and systems, and have positive impacts the local community and economy. Sustainable development focused on reducing environmental impacts in order to retain sufficiently good environmental conditions to meet the needs of today and future generations. It was not achieved such is the level of environmental damage that we now understand (climate, ecological), and so there is a need to repair or regenerate the many aspects of the environment but the concept also bears application to social and economic matters. The policy could be usefully modified, therefore, to also target regenerative benefits, principally environmental ones such as increasing biodiversity and biocapacity (including through rewilding), regenerating landscape, sequestering carbon, building soils, improving catchment management and flood control, and increasing tree cover.

Criteria i) and j) are drawn directly from OPD policy and are sensible and necessary.

Criteria f) appears to be redundant as all development in the Park must, by virtue of the Purposes, to this.

Needs of Occupants – needs are not directly addressed in the policy but the supporting text states of the Business and Improvement plan :

in order to clearly identify the need to live on the site, quantifying how the inhabitants' requirements in terms of income, food, energy and waste assimilation can be obtained directly from the site, and demonstrating that land use activities proposed are capable of supporting the needs of the occupants

The OPD Practice Guidance requires that 65% of occupants food needs be met from the site, of which 35% may be bought externally provided that the money needed is derived from other products of the site. This reflects that in the UK context it is next to impossible to meet all food needs from growing and rearing on site, both because of the variations in what a site is suitable for and because of the 'hungry gap' – the late winter / early spring period where food is often not available from on site store or production. It is to be expected that most of water and energy needs can be provided from site, and waste assimilation achieved. In terms of income the OPD Practice Guidance requires that the basic income needs of occupants need to be met from the resources of the site, and specifies these as: food not available or funded from the site, IT / communications, clothes, travel and Council Tax.

Given that the Welsh experience shows that a more nuanced approach to the needs of occupants is required it is suggested that the policy be sensibly changed to reflect this.

Ecological Footprint Analysis (EFA) – the EFA exercise is a vital part of the Welsh approach as it provides a demonstrable measure of the low impact credentials of the development. It is suggested that the Welsh tool be recommended for this exercise, as it was built for that purpose, or a tool of similar suitability. It is also recommended that a specific target be set for the EFA, as has been done in Wales. Achievement of a EFA reduction of 40% in comparison to the current or last known EFA of the Park would be a suitable target.

Timescales – the need for proposals to demonstrate their compliance with policy over an initial period is understood and supported. The Welsh experience, however, is that a five year period is sensible and reasonable. Three years is simply too short a time to achieve the outcomes desired for this sort of development, as they often involve putting into place significant change in land use and management systems. A five year initial trial period would therefore be more realistic. Were consent also required to be tied to a Management Plan, in which the expected position in year five was laid out, this would provide greater detail and clarity in respect of whether the development should then be moved to a permanent consent.

The reference to 3.9.3 in paragraph 3.11.5 appears to be an error.

I offer the following adjustment of the policy, reflecting these comments.

Policy 3.12 (2) Low Impact and Regenerative Residential Development

Low impact and regenerative residential development will be permitted where:

- a) The proposal will be intrinsically low impact and regenerative in nature and provide net environmental, social and economic gains simultaneously, through the development and activities on site
- b) The proposal is located on a site able to meet the majority of the needs of occupants for food and all of their minimum income*, water and energy needs, and also able to assimilate all organic wastes
- c) The proposal is located on a site from which it is possible to access via low carbon means services and facilities necessary to occupants
- d) All new and converted habitable buildings should be low carbon in construction and zero carbon in use. Existing redundant historic buildings capable of low carbon conversion should be reused before new buildings are built
- e) The number of adult residents is directly related to the functional requirements of the enterprise
- f) In the event of the development involving members of more than one family, the proposal will be managed and controlled by a trust
- g) The proposals are accompanied by a legal agreement tying the land required to the development to the dwelling/s
- h) The proposals are accompanied by a comprehensive Management Plan laying out in detail how the requirements of this policy will be met by five years from the site's first occupation
- i) The proposals will be accompanied by an Ecological Footprint Analysis (EFA) showing how an EFA 40% lower than the average for the National Park** will be met by year five
- j) At five years from the development's first occupation a Monitoring Report will be submitted to the National Park Authority reporting on how the requirements of this policy and the meeting of the EFA target have been achieved
- k) A first consent will be granted on a five year temporary basis in order for the credentials of the proposal to be evaluated at year five before a permanent consent is considered.

* these are food provided from the site, IT / communications, clothes, travel and Council Tax

** or the best alternative available data

If you require help, or would like to receive this form in an alternative format, please contact the Forward Planning team:

Forward Planning, Dartmoor National Park Authority Tel: 01626 832093

Parke, Bovey Tracey, Devon, TQ13 9JQ

Email: forwardplanning@dartmoor.gov.uk

Website: dartmoor.gov.uk/localplanreview