

FAO: Mr Robert Young
Programme Officer
Dartmoor Local Plan
c/o Forward Planning,
Dartmoor National Park Authority,
Parke, Bovey Tracey, Newton Abbot,
Devon TQ13 9JQ

BY E-MAIL - programmeofficer@dartmoor.gov.uk

8th February 2021

Your ref: Matter 9, re. Issue 2 and Proposal 7.7(2) Lamb Park, Chagford
Our ref: AB/6184

Dear Mr Young

Re: Final Written Submissions for the Dartmoor Local Plan Examination – Matter 9 on behalf of Proposal 7.7(2) Lamb Park, Chagford – Mr David Booth and Mrs Linda Booth – Representee Ref. 0184

The following letter has been prepared in support of our final written submissions in advance of the Dartmoor Local Plan Examination Hearings in March 2019. The representation is made on behalf of Mr and Mrs Booth (0184) in respect of their capacity as landowner of the land comprised within allocation Proposals 7.7(2) Lamb Park, Chagford.

It is not necessary to repeat those details or representations that have previously been submitted to the Inspector, the landowner seeks only to respond to the matter of the Inspector's questions with reference to the forthcoming Examination Hearing Sessions.

The following sets out the response of our client to the questions set out within the Inspector's Matters and Issues Note of 12th January 2021, and more specifically those set out within Matter 9 – Site Allocations.

Response is provided to each of the questions in turn relating to *Issue 2 Site Allocations (All)* and thereafter *Proposal 7.7(2) Lamb Park, Chagford*, in so far as relevant specifically to my client's land. We offer no comment in respect of the other proposed allocations. The relevant headings are cited for the purposes of ease of reference for the Inspector.

Issue 2 – Q1 – Are they all appropriate and justified in light of potential constraints, infrastructure requirements and adverse impacts? Are the sites viable and deliverable?

The proposed allocation at land north of Lamb Park, Chagford is expressly supported by our client in their role as landowner as available and most importantly deliverable. The site is sustainably located, comprising an extension to the existing urban area of the settlement and an existing residential estate of housing, offering opportunities for connection to existing public footway provision and the existing highway network to ensure appropriate permeability and access. The landowner has maintained a right to form an access to the existing adopted public highway.

The site is contained within a firmly defined natural boundary comprising native hedgerow and trees which separate the site from broader pastoral land. The existing boundary with the residential development at Lamb Park is weak, and thus the existing pattern of development is viewed contextually with this site. It has a clear relationship with the existing pattern of development as a result and comprises a sensible location for further residential development which will not project unduly out into the countryside and is well related to the settlement. The Council brought the land parcel into the settlement boundary at the time of the last review of its settlement boundaries in 2018, which reinforces this position.

The site is not subject of any significant technical or physical constraints. The land sits outside of any area of fluvial flood risk and is subject to no significant surface water flooding either. The site is positioned outside of any natural, landscape or environmental designations which would impose constraint on the manner in which a development could be delivered. The landowner recognises however that the site is fairly visible when viewed from the rising land further to the north and thus it will be necessary to have appropriate regard for this at the detailed design stage to provide a scheme which appropriately responds to its setting.

The landowner has undertaken initial technical work with respect to highways design and drainage infrastructure to serve the development and is committed to see the site delivered at the appropriate time when an appropriate local need exists, as the Submission Local Plan Policy requires.

The site does not and will not require any significant infrastructure improvements which would affect the viability of the scheme, or its inherent ability to address the other policies within the Submission Local Plan, including the expectation to deliver 45% of the scheme as affordable housing as required by Strategic Policy 3.3(2).

The Inspector will recognise that the specific viability of sites will be assessed at the planning application stage, dependant on the specific nature of the proposals and in view of the economics of the development at that time. We do not however at this stage anticipate any viability concerns or indeed raise issue with the assumptions made by the Whole Plan Viability Assessment in this respect.

Site Proposal 7.7(2) is justified, appropriate and deliverable.

Issue 2 – Q2 – What is the expected timescale for development? Is it realistic?

The Local Plan does not set out intended timeframes for the delivery of the strategic sites beyond a high-level suggestion that they should be delivered during the plan period. As the Submission Local Plan confirms at Paragraph 3.1.4 the Council's intended 65 homes per annum is an indicative figure and not a target. The level of housing delivered will respond to local housing need.

Site Proposal 7.7(2) is available now and will be brought forwards in accordance with an identified local need. The landowner intends to work closely with the Chagford Community Land Trust; who represent the local Chagford community, to ensure that specific local needs can be addressed.

The delivery of housing at Chagford is capable of meeting a specific housing need for the Local Centre and the adjoining rural villages and minor settlements to ensure that affordable and local needs housing requirements can be appropriately delivered on the ground.

The Landowner has identified that there is a substantial local population whose needs could be appropriately met by this strategic site, comprising:

- Chagford (1470),
- Dartmoor Forest (1619),
- Moretonhampstead (1703),
- Dewsteignton (818),
- Throwleigh (350),
- Gidley (428).
- Total population = 6,388

The landowner is committed to the delivery of their land within the Local Plan Period, and is willing to make this available at an early stage, i.e. as soon as it is required.

Issue 2 – Q3 – What is the justification for the affordable housing requirements? How has viability been taken into account? Would this accord with national policy set out in NPPF paragraph 56 in relation to planning obligations?

The landowner has undertaken some high-level viability work in respect of the Site Proposal and the development has been deemed to be viable taking account of the policy requirements set out within the Submission Local Plan.

The Framework provides a minimum threshold against which affordable housing should be sought from development sites; however, this does not prevent Local

Authorities from seeking to impose higher thresholds which are appropriately justified by local assessments of viability.

We do not offer comment at this stage on the appropriateness or otherwise of the Council's proposed affordable housing threshold or the Whole Plan Viability Assessment.

The provisions of Paragraph 56 of the Framework confirm that planning obligations should only be sought where they meet a defined set of tests. The Submission Local Plan seeks to impose obligations which require that affordable housing is kept affordable in perpetuity, but also that housing is restricted to those with an appropriate local connection to ensure that the Authority only seeks to meet the needs of its residents; with a small uplift, and thus does not facilitate significant immigration from outside of the Plan Area which would be prejudicial to the special qualities and landscape of the National Park.

Our client does not seek to challenge the conclusions of the Local Authority in this regard that such provisions, to be secured by way of legal agreement, accord with the Framework and are necessary to protect the Dartmoor National Park.

Issue 2 – Q4 – What is the justification for specific policy requirements in relation to matters such as flood risk assessments and mitigation, appropriate assessment under the Habitats Regulations or other assessments? What is the justification for other policy requirements?

The proposed site allocation policy relating to Proposal 7.7(2) Land at Lamb Park, Chagford, does not seek to impose a requirement for any specific on-site infrastructure or for the undertaking of technical work. The site is not subject to any substantial technical or other constraint as the landowner has confirmed. The landowner thus has no comments in this respect.

Specific comment in made in respect of the requirements imposed by the site allocation policy are set out in response to the Inspector's specific question relating to Proposal 7.7(2).

Issue 2 – Q5 – Would the detailed wording of each allocation be clear and effective?

The wording of the proposed site allocation policy for Proposal 7.7(2) is clear, the landowner queries however whether the requirement at (2) of the policy text is required in the context of the Inspector's question specifically on this point. Comment is provided on that matter separately below and is not recited again here for the sake of brevity.

Issue 2 – Q6 – Overall, are the allocations justified, effective and consistent with national policy?

We consider that the Submission Local Plan proposal to allocate Proposal 7.7(2) Land at Lamb Park, Chagford is entirely justified and consistent with National Policy set out within the Framework. It is also submitted that, subject to appropriate modification, as discussed below, the policy will be entirely effective and ensure that the site comes forwards in a sustainable manner to meet an identified local need for market and affordable housing as the Authority intend.

Proposal 7.7(2) Lamb Park, Chagford - What is the justification for custom and self-build housing/community led housing?

The landowner wishes to confirm that they support entirely the intention of the Local Authority to allocate their land, comprising Proposal 7.7(2) Land at Lamb Park, Chagford. The site is available and deliverable now and the landowner is willing to bring it forwards.

The comments made below are without prejudice to this position and if the Inspector considers that the proposed policy, as written, is sound then we do not raise objection to the plan proceeding to adoption on this basis.

With reference specifically to the Inspector's question, the landowner recognises that the Local Authority; as Policy 3.6(2) confirms, are seeking to support appropriate innovation on sites which will enable the delivery of self-build or custom-build plots to meet an identified local need for this type of housing. It is also the case that the landowner has confirmed to the Council, in previous correspondence and their promotion of the site for allocation, a willingness to provide this format of accommodation.

The benefits of self-build and custom build housing are acknowledged; being more affordable to build, encouraging persons to occupy their home for longer in support of lifetime homes standards, and leading to a greater variety and higher quality of house design generally. The provision of this product is supported, and the Local Authority's intentions lauded.

Notwithstanding this however, it is questioned whether it is necessary to make specific reference to the delivery of this particular housing product within the policy text for Proposal 7.7(2). The Council has enshrined its support for this housing product within the Submission Local Plan at Policy 3.6(2) and confirms that this will be encouraged on sites. If the landowner wishes to bring forwards this product, as they have to date indicated an intention to do, this is fully supported by the emerging Development Plan and there would be no barrier to them doing just that, subject to a detailed planning application.

The imposition of this requirement within the policy text however takes away flexibility from the strategic site. For example, circumstances may arise where the delivery of

this particular product is neither supported by an identified local need, nor desirable to the landowner to deliver. In such circumstances the policy text would present a barrier to the timely delivery of the development site with no upside.

As assessment of local housing needs may demonstrate that there is a greater need for alternative types of affordable and market housing accommodation for example starter homes, or traditional affordable/social rent and shared ownership, or an entirely new product; which this site is more than capable of delivering, but with this constraint an unnecessary and entirely avoidable policy conflict would be presented.

Turning to the other side of the same argument, not imposing this requirement as part of the strategic site policy does not prevent the landowner from delivering self-build or custom build housing if this is what a local needs assessment demonstrate a demand for.

In short, there is no need for the policy stipulation and the absence of it does not prejudice the ability to deliver this housing product in accordance with the Self-Build and Custom Housebuilding Regulations (2016) and Policy 3.6(2).

The Inspector will recognise the need for policies to be appropriately flexible to prevent barriers to the delivery of strategic sites, and where a level of prescription is otherwise unnecessary to deliver the overarching policy expectations of the Local Development Plan, this should be avoided.

We would support therefore the modification of Policy: Proposal 7.7(2) to read:

Proposal 7.7 (2) Land at Lamb Park, Chagford

1. An area of land at Lamb Park, Chagford, is allocated for residential development of around 36 homes, of which not less than 45% must be affordable housing to meet identified local needs. Development should come forward only in response to an identified affordable housing need.

Summary

If there are any questions in respect of the points raised above, please do not hesitate to get in contact with us directly.

A copy of this response and technical information will be issued to the Council for its information.

Owing to our recent instruction in respect of this matter, the representee, Mr and Mrs Booth, would seek to ask that they be included within the Local Plan Examination Hearing Session for Matter 9 such that oral representations may be made to the Inspector in support of the allocation of their site Proposal 7.7(2) Lamb Park, Chagford.

It is recognised that the date by which confirmation of a desire to participate in one of the hearing sessions was due to be confirmed was Monday 25th January 2021; and that this date has passed, however we ask that the Inspector use their discretion to allow the representee to be included at this time to speak in support of their land as required.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Adam Bennett', with a long horizontal flourish extending to the right.

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Town Planning Consultant

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