



**Our Ref DS/SJS/1771
Date 21st October 2019**

Dan Janota MRTPI
Head of Forward Planning and Economy
Dartmoor National Park Authority
Parke
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TQ13 9JQ

Dear Dan,

DARTMOOR LOCAL PLAN 2018-2033

In relation to the current regulation 19 consultation that is being carried out by the Council, and on behalf of our clients Dean Court Business Partnership we are, in broad terms, supportive of the attempts that the National Park Authority are making to grapple with the need to provide for meeting the social, housing and economic needs of the National Park.

We do wish to highlight the importance of Government policy that should guide how those needs are addressed. In particular the policy that:

'Great weight should be given to conserving and enhancing landscape and scenic beauty in National parks,' (NPPF, paragraph 172).

This matter (the '172' policy) has, importantly, been raised by the Inspector's dealing with the adjacent Plymouth and South West Devon Joint Local Plan (JLP, please see their post hearing advice note EXC15, copy attached). Those Inspectors have, where possible, sought to protect against visual impacts upon the South AONB.

It is inevitable, when making provision for community needs within the National Park boundaries, that there is likely to be some detrimental impact upon the landscape and recreational opportunities that the National Park designation seeks to protect (NPPF, paragraph 172 c). We consider that it is important that the plan making process takes the opportunity to minimise those detrimental impacts, where possible.

Bearing that imperative in mind it's worthwhile considering the proposed settlement strategy of the plan.

The settlement strategy seeks to accommodate development in the larger settlements within the plan area. We consider that this is appropriate. Of those settlements it is those that lie closest to the A38 corridor that generally offer some of the lowest qualities in terms of landscape, compared with the rest of the National Park. This is fortuitous, and enables homes to be located, where services are greatest, where job opportunities are greatest, and where sustainable transport connections to higher order settlements (that inevitably lie outside the DNP boundary) are best. As a settlement Buckfastleigh is probably THE settlement that provides the greatest employment opportunities for DNP residents and has the best connectivity to higher order settlements (via sustainable modes). We therefore consider that there is a strong case to provide increased housing numbers at Buckfastleigh, over and above the level proposed in the first draft plan).

We also consider that it's important to also undertake the exercise undertaken by the Inspectors considering that JLP – that is to review the allocations and commitments that affect the AONB [National Park in this case]. In accordance with Government policy it is imperative to seek to minimise the detrimental impact of proposals upon the landscape and recreational virtues of the National Park. In our opinion, at Buckfastleigh, there is a clear opportunity to achieve this. Existing allocations have, to date, failed to come forward and are located in visually intrusive locations that are poorly related to jobs and services both in the town and wider afield and are only accessible via constrained road connections. Proposals 7.6 of the first draft review is, in our opinion, a site that suffers from these criticisms.

On behalf of our clients (Dean Court Business Partnership) we have proposed (via the Development Brief document dated August 2018 that is attached) the allocation of land to the rear of Timbers Road, Buckfastleigh. As that document demonstrates this site is:

- Not visually intrusive
- Well located in relation to jobs and service
- Capable of providing new recreational opportunities

In our opinion this site produces much lesser visual impacts upon the AONB, and upon the constrained road network of Buckfastleigh than any other potential site, and is much better related to the town centre and the public transport network, than any other potential site.

Finally, we are aware of planning applications that have either been made, or may well be made in the near future, on sites at Buckfastleigh. In our opinion it makes no sense to prejudice the plan review and those applications should, in our opinion, either be refused, or not determined, until the review of existing allocations/commitments has been completed.

Therefore, we must object to the plan and request the opportunity to be invited to attend relevant examination sessions in due course, in order that unnecessary and avoidable harm to the landscape qualities of the DNP is avoided.

Kind regards,

David Seaton, BA (Hons) MRTPI
For PCL Planning Ltd
e: [d](#)

Encs. EXC15
Development Brief Document

C.C. R. Cooper

Examination into the soundness of the Plymouth and South West Devon Joint Local Plan (JLP) 2014 -2034**Post Hearing Advice**Introduction

1. At this stage we consider that the JLP is a plan which could be found sound subject to main modifications (MMs). However we have reached no final conclusions at this time. The MMs will be subject to consultation and we will reach our final conclusions taking any representations into account.
2. During the hearing sessions a number of potential MMs were discussed and a list has been maintained by the Councils. In addition we indicated at the hearings that there were matters on which we would need to deliberate before we would be in a position to advise the Councils as to whether any additional work or further MMs should be considered. This letter provides our views on this. It also sets out the administrative arrangements relating to all potential main modifications.
3. We are not inviting any comments about the contents of this letter, although we are seeking the Councils' response on the matters raised. We will detail our reasoning on these issues in our final report on the JLP.

Further potential main modifications*Housing*

4. As discussed within the hearings we have concerns with regard to some allocations proposed within the TTVPA, in particular those which are located within an Area of Outstanding Natural Beauty (AONB).
5. It is stated in the NPPF that the AONB should be given the highest status of protection in relation to landscape and scenic beauty. The available evidence does not demonstrate that sufficient weight has been given to this requirement when allocating some sites for housing. Unless clear evidence is available now, sites within the AONBs should be deleted as housing allocations. Exceptions to this are TTV6 (Dartmouth); TTV13 and TTV15.2 (Kingsbridge); TTV29.1, TTV29.2 (Bere Alston) and TTV29.19, TTV29.20 and TTV29.21 (Salcombe) which should remain as allocations.

6. Those housing sites within the AONB where planning permission has been granted and has not lapsed should still be included as commitments in the housing trajectory but should not be included within the JLP as allocations.
7. In relation to Policy TTV30 the JLP appears to be reliant on the delivery of 650 dwellings within the sustainable villages. This should be clearly set out within policy. The addition and removal of villages from the Figure 5.8 list of sustainable villages must be set out as a MM. In addition some of the villages listed within Figure 5.8 are located within an AONB. Whilst paragraph 5.159 recognises this, the available evidence does not demonstrate that sufficient weight has been given to the AONBs when determining whether settlements are suitable for housing. Unless clear evidence is available now, settlements within the AONBs should be removed from Figure 5.8 and this should be set out as a MM.
8. In relation to Policy TTV24.5 (land at Kelly Preparatory College), the available evidence does not justify the allocation for extra care housing. The building is now listed and there is no evidence that the site could be put to such a use without damage to the characteristics which have attracted the listing. Unless there is evidence available to the contrary, the allocation should be removed from the JLP. Whilst a proposal for an alternative use for the site has been submitted we have already made it clear in previous correspondence that we are not considering alternatives or omission sites at this stage.
9. As a consequence to the changes set out above, relevant policies, tables and supporting text relating to housing supply will also need to be amended, including over the entire plan period and the five year supply.
10. Policy TTV31 deals with "Development in the countryside" and makes provision at point 1 for housing to meet essential, small scale, local development needs. However, the circumstances in which such provision may be made is not clearly defined within TTV31.1, and there was discussion at the hearings of the potential for a new policy on rural housing exceptions sites to cover the matter in the JLP. This should be set out as a MM. Furthermore Policy TTV31 and the proposed new rural housing exceptions site policy should be referenced in Policy TTV1.
11. Site allocations where the housing figures are proposed to be updated, such as for Policies PLY25 and TTV13, should be set out as potential main modifications.



DEVELOPMENT BRIEF

LAND REAR OF TIMBERS ROAD
BUCKFASTLEIGH

PREPARED FOR DEAN COURT BUSINESS PARTNERSHIP

AUGUST 2018



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1.0 Introduction

- 1.1** This brief has been prepared by PCL Planning Ltd on behalf of Dean Court Business Partnership (DCBP) who own land adjacent to Buckfastleigh, which is available for and free from restrictions on development. It has been prepared in the context of the emerging Dartmoor National Park Local Plan (DNPLP) review and it responds to the Land Availability Assessment (LAA) review (dated September 2017).
- 1.2** The LAA is part of the evidence base informing future land allocations to be made in the emerging DNPLP. The LAA considered the site (reference: DNP16/038) put forward by DCBP and assessed it as not being suitable or achievable.
- 1.3** This brief rebuts the findings of the LAA and promotes part of the wider site assessed in the LAA (specifically parts B and C of DNP16/038— referred to as “the omission site” within the remainder of this report).
- 1.4** The omission site is located at the southern end of Buckfastleigh, immediately adjacent to the built up area. To the north and east is residential development of various periods and densities, whilst to the west and south is agricultural land.
- 1.5** This report ‘reworks’ the LAA and demonstrates that, in a number of key respects, the omission site is a preferable site to meet the housing needs of Buckfastleigh when compared to the preferred LAA sites (for example DNP08-009 and DNP16-066). It is plain that the perceived difficulties with the omission site documented in the LAA are unfounded and can be overcome.

Section 2.0 – Review of LAA Methodology and Site Assessment

- 2.1 The LAA involved an assessment of a number sites identified from previous assessments and new ones put forward for the 2017 assessment. Once the list of sites was collated the assessment established whether a site could be considered:
- Suitable;
 - Available; and
 - Achievable.
- 2.2 In assessing whether a site is suitable, available and achievable a number of stages of assessment were applied (more detail on this assessment is set out at pages 14-19 of the LAA report).
- 2.3 The assessment of individual sites in the LAA was recorded on a standardised proforma. The assessment concludes that the wider site is not suitable or achievable and the reasons of the LAA panel are recorded as follows:
- "Unsuitable for development due to access constraints, rural nature of the sites and distance from the settlement".*
- 2.4 However, this assessment is flawed for a number of reasons:
- Firstly, the LAA assessment of accessibility was not undertaken at a intrasettlement level. For example, almost every site at Buckfastleigh is recorded the same for access to public transport despite there being differences in terms of proximity to bus stops and the services provided from those bus stops.
- 2.5 In terms of site selection there is no point making settlement wide generic points. This brief therefore undertakes a review of the LAA result (as suggested by the Town Council) and shows how the omission site is preferable to other potential sites and should be allocated to deliver housing for Buckfastleigh.
- 2.6 The LAA is also flawed because it reaches incorrect conclusions in respect of the DCBP site regarding the ability to achieve access and landscape impact (particularly when the smaller omission site presented in this brief is assessed). This brief therefore also demonstrates how the omission site is suitable and achievable by reviewing landscape impact and showing how access can be achieved.
- "The TC and public attendees were not overly supportive of the existing site allocations. There was no consensus on a preferred site option of those offered, and the TC requested that DNPA review the LAA result for the site on Duckspond Rd (DNP 16-038) looking again at feasibility/viability and high-way access."*

3.0 Revised Assessment

3.0.1 The revised assessment set out in this section focuses on the matters that can be differentiated at the settlement level (since this is the only sensible way to consider impacts at that level). These matters are:

- Visual impact;
- Access to public transport;
- Access to local services and facilities; and
- Access to higher order settlements.

3.0.2 The omission site considered in this revised assessment section is smaller than the previous site assessed in the LAA. Specifically parts B and C of the DNP16/038 LAA site are re-assessed within this section as the omission site.

3.1 Visual Impact

3.1.1 Government policy in the Framework is that:

'Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues.' (paragraph 172)

3.1.2 In this case it is common ground that in order to protect the scenic beauty of the landscape land allocations should be made at Buckfastleigh (and other settlements), as opposed to elsewhere within the DNP. Accordingly criteria (a) and (b) of paragraph 172 are not helpful in carrying out a comparative assessment of the relative merits of possible sites at Buckfastleigh.

3.1.3 The omission site (and other alternative sites such as DNP08-009 and DNP16-066) all lie beyond but adjacent to the existing built up area within the countryside therefore that cannot be a distinguishing characteristic between one site and another in this regard. A critical consideration in determining which is the most suitable for development is therefore that set out at c) of paragraph 172 of the Framework:

'any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated'.

3.1.4 In terms of assessing the visual impact of potential sites it is plain that a common methodology has not been applied via the LAA process, nor is it transparent how the stated opinions contained within that report have been arrived at. This is not sound evidence when ensuring compliance with Government policy. The importance of ensuring such compliance has recently been highlighted by the Inspector conducting the Plymouth and SW Devon local plan examination (See Post hearing advice note [EXC15] —August 2018).

3.1.5 It is notable that the LAA consideration of visual impact in relation to sites DNP08-009 and DNP16-066 has led to a downgrading of the scale of development achievable on these sites because of their high sensitivity to accommodate development. This is because development on either of these alternative LAA sites will have a wider visual impact, when viewed from locations both within, and outside, the town, and because they are more related to the valued landscape of the National Park to the west.

3.1.6 Development of the omission site however is less sensitive to development than those sites (being categorised as having a moderate sensitivity as opposed to high). Also, the local topography of the omission site will visually screen the development from views approaching Buckfastleigh from the south along the B3380. It is also the case that the site has been reduced from the one assessed within the LAA, with the part now excluded being more visually sensitive than the part proposed as the omission site.

3.1.7 It is plain that the omission site is less visually sensitive than other potential development sites.

3.1.8 The following viewpoint photographs show the visual impact of existing development adjacent to the omission site.



Figure 1
— Viewpoints location plan



Picture 1
Viewpoint 1



Picture 2
Viewpoint 2

3.2 Access to public transport

3.2.1 Figure 3 identifies the existing bus services (and stops) serving Buckfastleigh. This shows that the two alternative LAA sites (DNP08-009 and DNP16-066) are served by a very limited service (i.e. 672 service is Wednesdays only). By comparison, the omission site is close to the bus stops that provide regular services to the town centre and the higher order settlements of Plymouth, Newton Abbot and Exeter (i.e. X38 route to Exeter and Plymouth provides 6 buses a day Monday and Saturday and two a day on Sundays and the 913 route provides a daily bus [one in morning to school and one in afternoon back from school] between Totnes and South Devon College on school days). The proximity of the omission site to the bus stops is beneficial because it allows for sustainable travel choices to be made—i.e. the use of public transport is a practical alternative to the use of the private car.

3.2.2 The site also has immediate access to National Cycle Network route NCN272 which links to Ivybridge and Bovey Tracey (see figure 2).

3.2.3 The omission site accords with the provisions of the Framework (paragraphs 102–104 and 108 in particular) whereas the other LAA sites are not in accordance with these elements of Government policy.

PUBLIC TRANSPORT

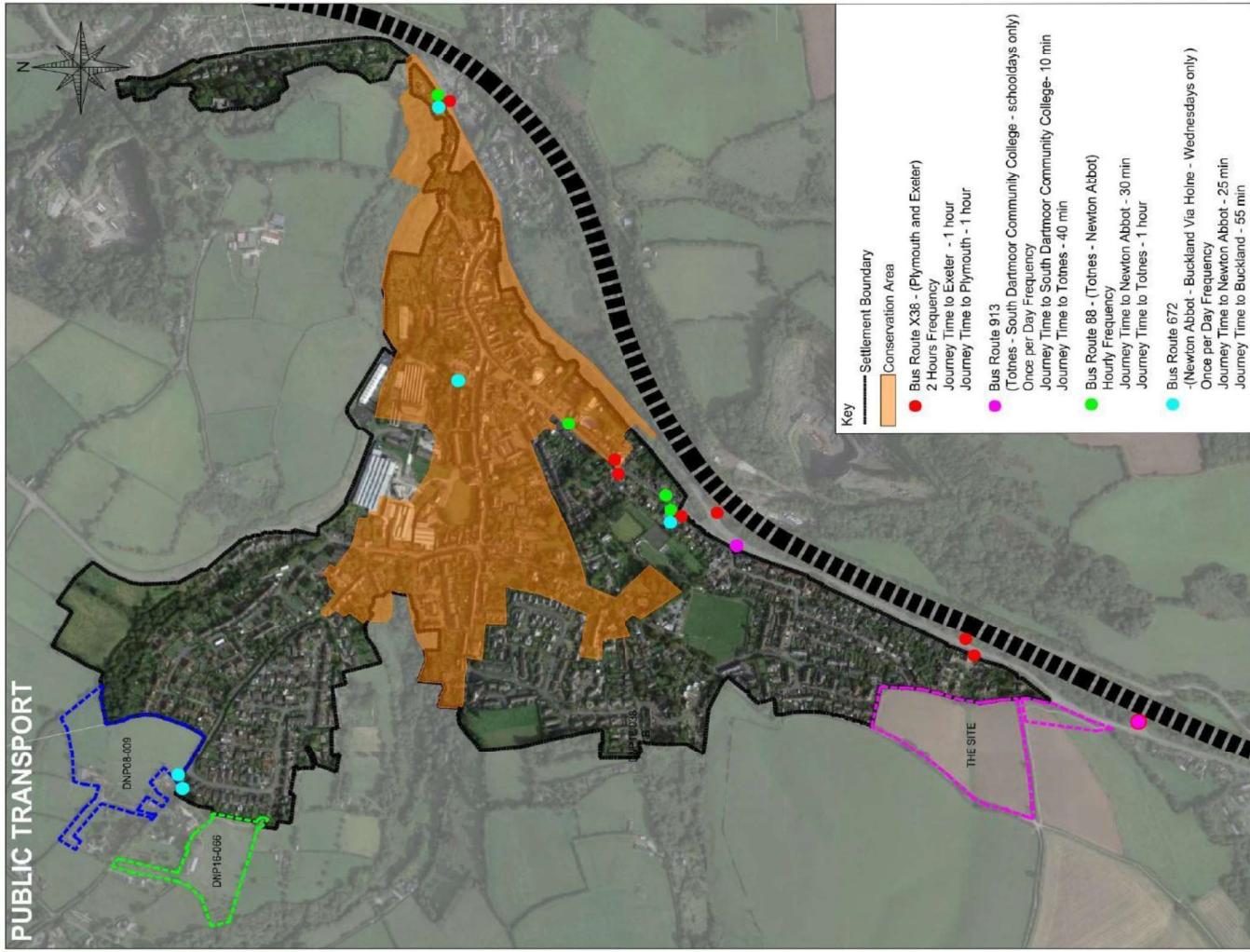


Figure 3 – Public transport

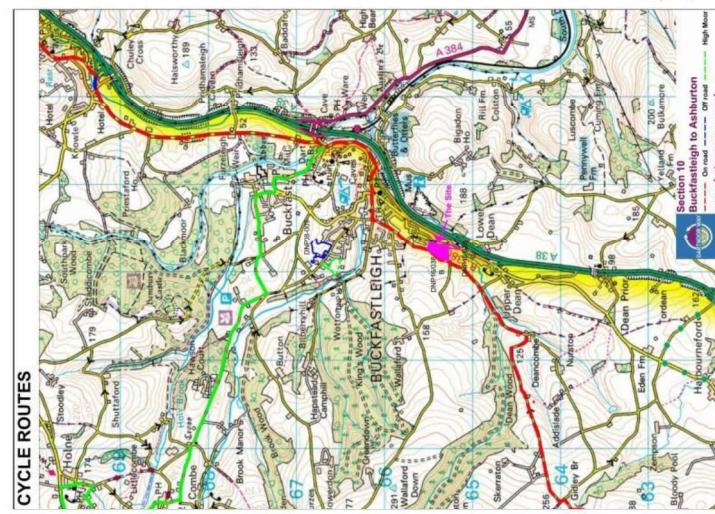


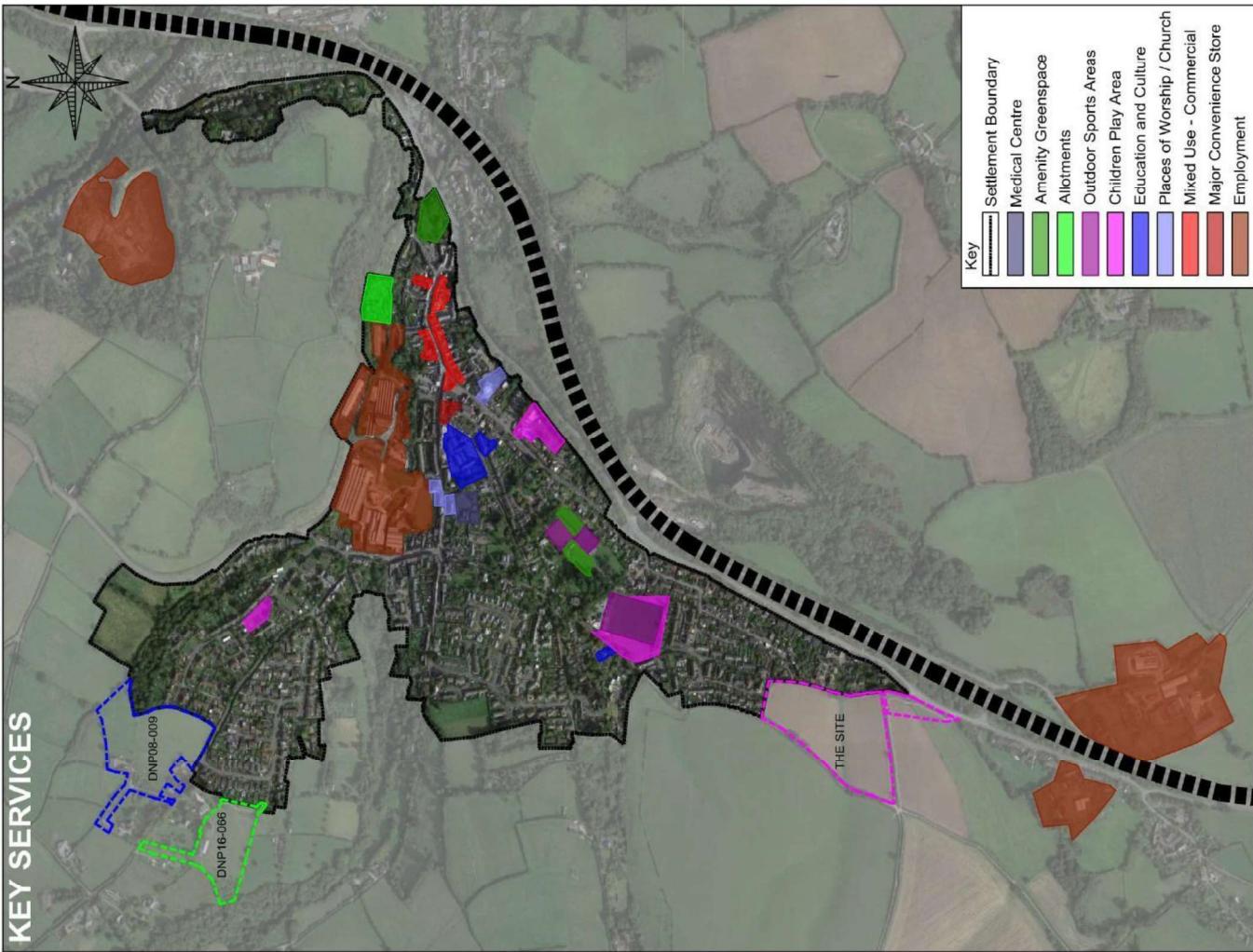
Figure 2
– Cycle routes

August 2018

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3.3 Access to Local Services and Facilities

KEY SERVICES



3.3.1 The table below sets out the relative distances from the three sites to a range of services and facilities within the town. It is clear from this analysis that for all of these the omission site is more favourably located than other LAA sites (for example DNP08-009 and DNP16-066).

3.3.2 In most cases the omission site is within walking distance, or an easy cycle ride of these destinations. The LAA sites (DNP08-009 and DNP16-066) are however beyond what is considered an acceptable walking distance. Whilst they may be considered to be within a cycling distance of the town centre any return journey would be uphill and not conducive to carrying shopping. The omission site however benefits from a relatively flat route to the main convenience store, and other destinations using established cycle routes.

3.3.3 It is plain that residents of the omission site would not necessarily need to own a car in order to meet their needs. The same simply cannot be said of the other LAA sites.

	SITE REFERENCE	DNP16-066	DNP08-009
The Site			
950 m	1200 m	1000 m	
850 m	1200 m	1000 m	
850 m	1200 m	1000 m	
850 m	1200 m	1000 m	
350 m	1200 m	1000 m	
350 m	950 m	750 m	
550 m	750 m	550 m	
Distance to Bus Stop - connection to wider area	150 m	1300 m	1100 m

Figure 4 – Key Services

Access to Local Services and Facilities (*continued*)

3.3.4 It is worth specifically pointing out the relationship between the omission site and the Dean Court employment area on the opposite side of the A38, where Luscombe Drinks, Dean Court farm shop and Riverford Butchers are situated.

3.3.5 This employment area is approximately 550 metres from the omission site and currently provides in the region of 100 jobs on-site. This therefore provides future residents of the omission site with good accessibility to local employment opportunities. Additionally, 40 jobs are provided at Dean Forge which is the same locality.

3.3.6 Luscombe Drinks (who currently provide circa 50 jobs) is expanding, with two additional warehouses being constructed to provide an additional 20,000 sq.ft of floorspace (REF: 2541/17/FUL). As part of this expansion a footpath connection is being provided from the employment area to the existing footpath on Plymouth Road/B3380 (see figure 5 opposite). This will mean that further employment opportunities are being created with an improved pedestrian connection from the omission site to this employment area being provided so that a 'walk to work' is feasible for the residents of the omission site.

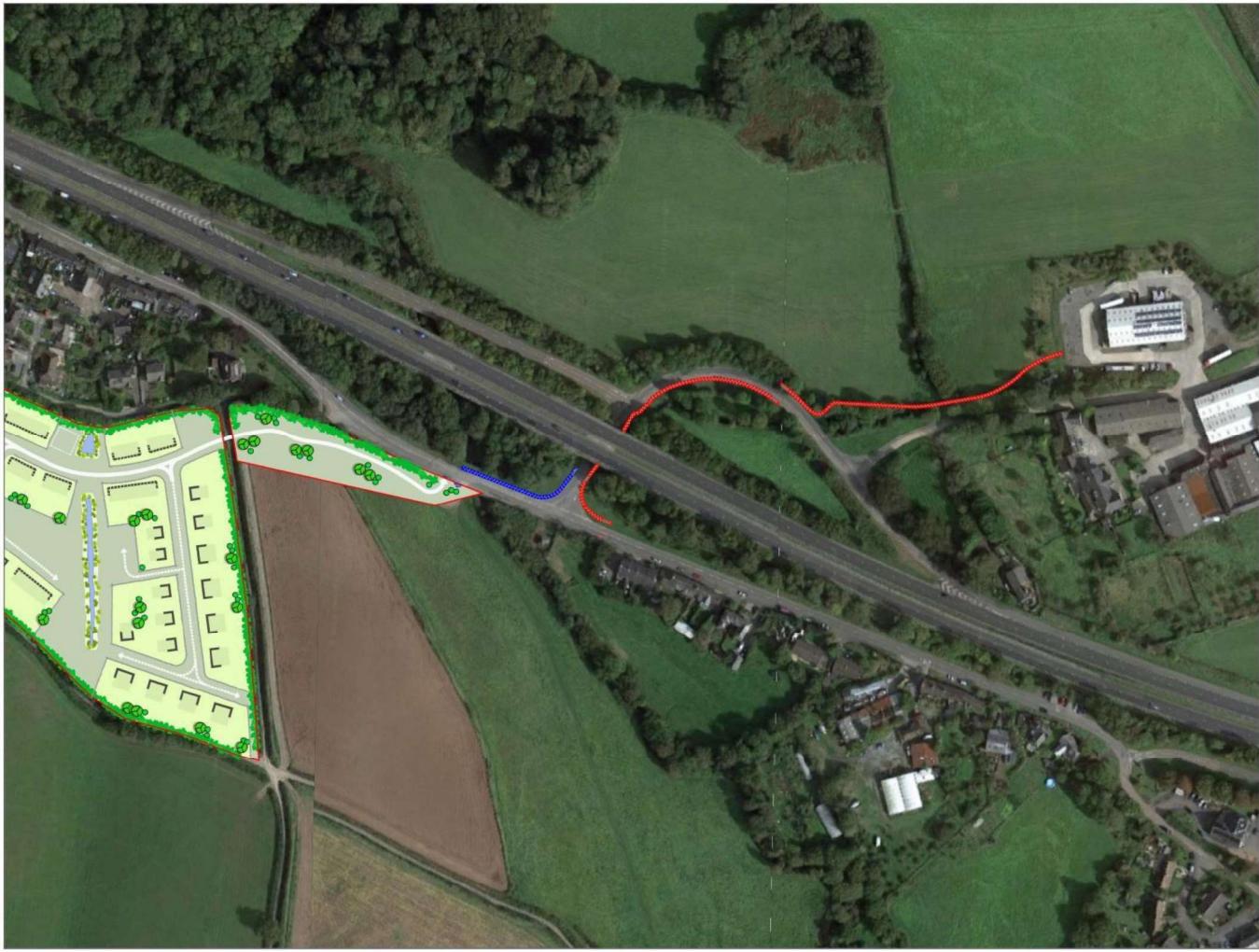


Figure 5- Pedestrian connection

3.4 Access to Higher Order Settlements (*Plymouth, Newton Abbot, Exeter*)

3.4.1 The omission site is bounded on the west by an unnamed lane and on the east by Timber Road which provides access for the nearby residential properties to the B3380 (the former A38, a full single carriageway [two lane] road). The B3380 links to the Devon Expressway (A38) to the south and via the town to the north.

3.4.2 Figure 1 shows the access routes from the omission site plus LAA sites DNP08-009 and DNP16-066 to the A38 for comparison purposes. It can be seen that in every respect access from the omission site to the strategic highway network/A38 is superior (shorter, on more commodious connecting roads etc.).

3.4.3 Access from the omission site to the A38 to travel in the direction of Plymouth is significantly better than that of DNP08-009 and DNP16-066 because it is particularly close (330 m compared to approximately 2.5 km). In terms of potential conflicts, the omission site is connected via the B3380 as opposed to the single track lanes of Buckfastleigh Conservation Area (which is the case with the LAA sites).

3.4.4 In terms of travelling towards Newton Abbot and Exeter, access from the omission site to the A38 is a similar distance to that of DNP08-009 and DNP16-066. However, the routes from those sites are either along narrow country (single track) lanes or through the tight single track streets of Buckfastleigh Conservation Area. In comparison the route from the omission site to head north on the A38 is along the B3380 (former A38), which is a two way road of circa 7.5 metres).

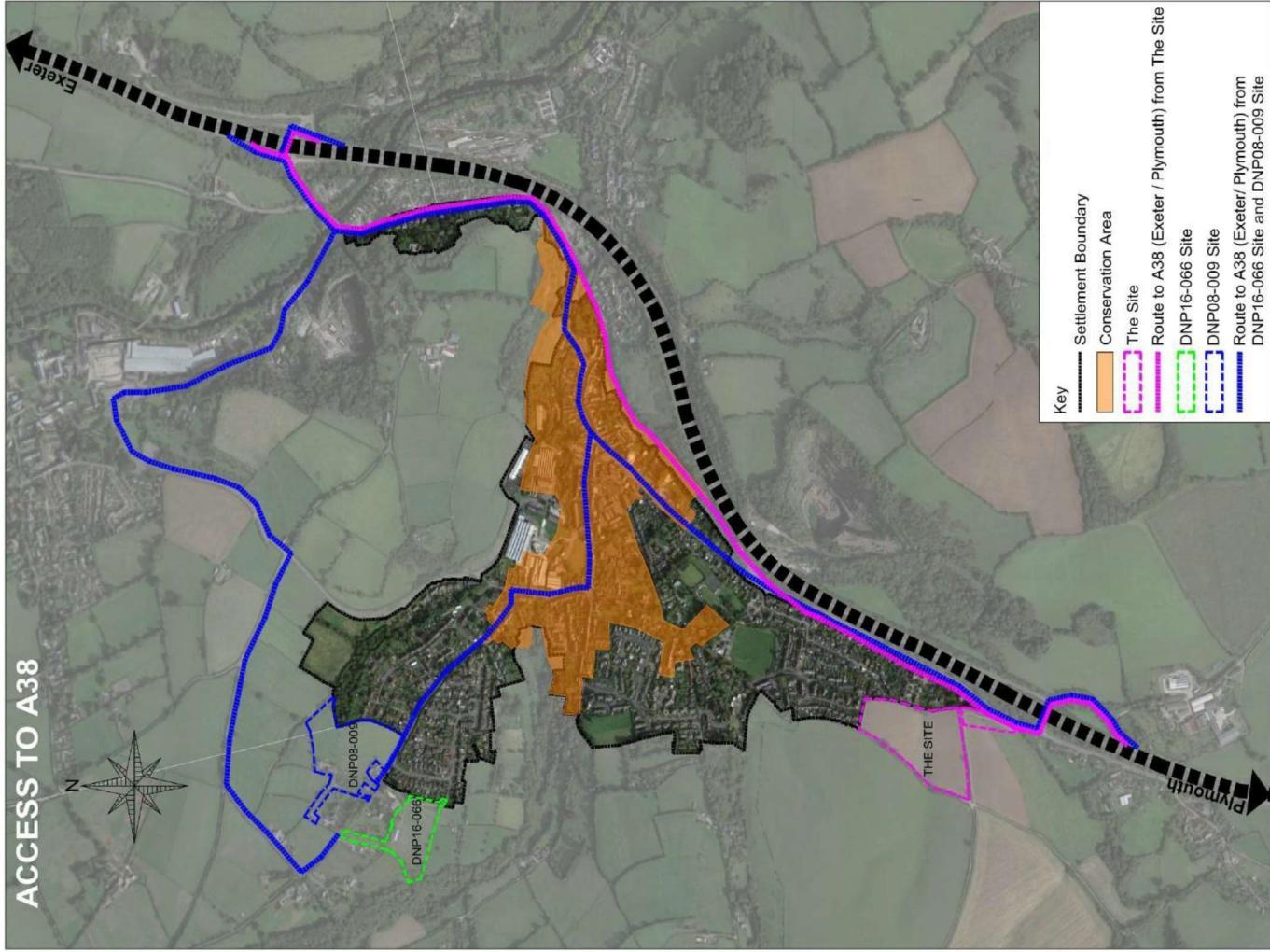


Figure 6—Access to A38

4.0 The Proposals

4.1 Indicative Layout

4.1.1 An indicative layout has been produced (see figure 7 opposite). The key principles of this masterplan are:

- Main vehicular access to be provided between points 3-3 from Plymouth Road;
- An internal access road between points 1-1-1 which would allow for a secondary vehicular access on to Timbers Road (and therefore relieving the narrow section of that road);
- Ability to connect with existing pedestrian routes (point 5);
- Provision of public open space and children's play (points 8 and 9);
- Retention of existing trees and hedgerows and enhancement (point 10).

4.1.2 The site extends to approximately 3.3 ha so in terms of capacity it could accommodate in the region of 60 dwellings (based on an average density of 30 dwellings per hectare being achieved across 60% of the overall site area—i.e. 2 ha net developable area).

4.1.3 Whilst the plan is indicative this type of plan could be used to establish development principles for the site should it be allocated and included within the DNPA Local Plan.

INDICATIVE LAYOUT

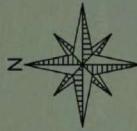


Figure 7 – Indicative Layout

	Realignment of Timbers Road into the site
	Section of Timbers Road to become pedestrian/cycle route
	Highway connection to Plymouth Road
	Shared Surface to tertiary streets providing a pedestrian friendly environment
	Pedestrian connection
	Housing in a variety of forms and size
	Public open space with water attenuation features and informal children's play areas
	Children's Play Area
	Existing Hedge Rows and Trees, Retained and Enhanced
	Indicative Residential development
	Indicative Building Frontage

4.2 Proposed Vehicular Access

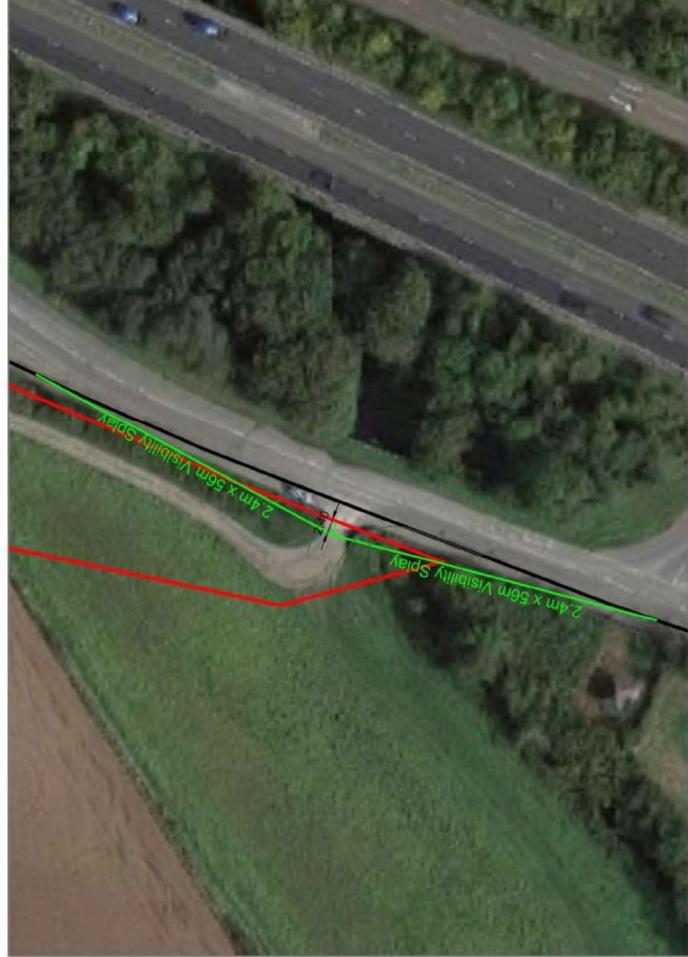
4.2.1 Parts B and C of the Site are separated by Rocky Lane which is narrow and considered unsuitable to provide access to a residential development. It is therefore proposed to provide access through part C following the alignment of the existing agricultural access and haulway.

4.2.2 The photographs show the current access gate into site C. This is located on the B3380 (former A38) with good visibility splays in both directions. The photographs also show how the existing access track lies discretely between the existing hedgerow and the rising ground to the west which will provide a valuable screen to this part of the access and minimise any perceived visual intrusion into the wider countryside.

4.2.3 It is proposed that at the point where this proposed access crosses Rocky Lane the priorities could be changed to ensure an appropriate level of highway safety is achieved.



Picture 4 – Existing access to The Site



Picture 8 – Indicative access to The Site



Picture 3 - Aerial view of site and access

4.3 Off-site open space opportunity

- 4.3.1 Should the omission site be consented there is the opportunity for it to deliver additional recreational opportunities that are not available to other LAA sites. There is additional land that is within control of DCBP. This land is located to the south of the omission site and runs alongside a small watercourse known as Dean Burn (see below plan). This land provides an opportunity to deliver off-site public open space to serve the proposed development and existing community, by way of a walking route along the watercourse. Such delivery of improved public access to the countryside and habitat creation is in line with paragraphs 118 and 172 c) of the National Planning Policy Framework (July 2018). This is a material consideration that should be accorded significant weight (in accordance with the provisions of paragraph 172 c).



5.0 Conclusion

- 5.1** Buckfastleigh is identified as a large settlement where future housing growth is to be directed in the emerging DNPLP. However, historically there has been a significant failure to bring forward housing in the town to meet local needs (DNP Settlement Profile for Buckfastleigh October 2017 states how the 3 allocations in the current plan remain undeveloped despite being allocated in 2013 and since 2008 only 14 dwellings have been built on other sites at the town).
- 5.2** This brief demonstrates that the omission site is suitable and achievable (unlike the assessment findings contained in the LAA). The indicative masterplan layout included in this report shows how the omission site could be developed in an appropriate manner that will ensure that adverse impacts are avoided. The site is in the ownership of a willing land owner and capable of early delivery to meet the housing needs of Buckfastleigh.
- 5.3** This brief has clearly shown (contrary to findings of the LAA) how:
- an appropriate vehicular access to the site can be achieved from Plymouth Road;
 - the omission site can be developed without having unacceptable visual/landscape impacts; and
 - that the omission site is not distant from the settlement and the services and facilities provided (in fact it is significantly better connected than other potential sites in Buckfastleigh).

- 5.3** Additionally, the potential land for provision of off-site open space identified provides an opportunity for multiple benefits to be delivered as is encouraged by paragraph 118 of the NPPF.
- 5.5** The brief has plainly shown that the omission site is a better option for development, in terms of landscape impact (Framework para 172) and accessibility, than other alternative sites (for example DNP08-009 and DNP16-066) currently being considered for allocation in the emerging DNPLP.
- 5.6** The omission site is therefore a better fit with Government policy (in particular paragraphs 118 and 172).

- 5.6** Given the content of this report, we request that the NPA reflect upon the clearly expressed views of the local community and the contents of this brief, and reconsider its LAA findings and re-assess the omission site as detailed in this report. In our opinion it is plain from this report that the omission site should be taken forward as an allocation in the emerging DNPLP instead of the currently preferred sites. To do otherwise would mean departing a plan that, in terms of land allocations at Buckfastleigh, fails to accord with Government policy and this may prejudice the smooth and expedient progression of the DNP (paying due regard to the recent remarks of the Inspector for the Plymouth and SW Devon local plan examination regarding the South Devon AONB in the Post hearing advice note [EXC15] dated August 2018).