



Dartmoor Local Plan 2018-2036 Examination

Matter 8 – Settlement Boundaries

Natural England's Written Statement to Address the Inspector's Questions

8th February 2021

Issue 1 Methodology and application

Q1. Are the proposed settlement boundaries appropriate and justified?

At the Regulation 19 stage Natural England raised three concerns regarding the settlement boundaries. Firstly, that the settlement boundaries are drawn very generously at a number of settlements, secondly that the evidence to support the boundaries could not be located and thirdly that the settlement boundary at Buckfast includes part of the South Hams Special Area of Conservation.

The first and second points are related. From the proposals maps for each of the settlements in the plan it seemed that a number of 'unidentified' plots of land had been included within the settlement boundary. For these areas Plan policy gives a presumption in favour of development. From an inspection of supporting evidence it would seem that these unidentified plots are used for civic purposes such as formal recreation, memorials or allotments. To provide clarity on this matter it would be useful if such uses could be shown on the proposals map.

As an example – Mary Tavy settlement profile (SD2018) shows the settlement boundary and usefully shows un-developed areas that have an existing, non-built use (e.g. outdoor play/sport spaces). This helps explain that some of the large plots of land within the settlement boundaries have existing uses. Within settlement boundaries, development is permitted (policy 7.1(2)) subject to other policies in the plan.

It would make the policy approach far more transparent if the other non-built uses could be shown on the policies map to make it clear that these sites are not intended as development opportunities & have not therefore been subject of assessment.

The second point relates to the need for landscape evidence to support allocations within the settlement boundary. Natural England's view is that these should be supported by a Landscape and Visual Impact Assessment (LVIA). Without such an assessment we do not feel there is sufficient landscape evidence to establish that the major development (set out in NPPF para. 172) test has been met.

Natural England's third concern about the settlement boundaries relates to the boundary for Buckfast and the fact that it includes a portion of the South Hams Special Area of Conservation. Policy 3.4(2) "Housing in rural settlements" states that development will be approved for up to 3 dwellings, on previously developed land or through conversion/change of use of existing buildings. A portion of the South Hams SAC overlaps with the settlement boundary at the southern end of the settlement and with land that is currently developed. Therefore, Policy 3.4(2) would give a presumption in favour of this portion of the settlement. Natural England seek revision of the settlement boundary to exclude the SAC. This point is also made in response to Q4 below.

Q4. What is the justification for the inclusion of a part of the South Hams SAC within the Buckfast settlement boundary?

A portion of the South Hams SAC overlaps with the Buckfast settlement boundary [a rural settlement], within which there is a policy presumption in favour of housing development. Policy 3.4(2) - Housing in rural settlements states "In Rural Settlements new housing development will be approved: a) On infill sites of up to 3 dwellings within the settlement boundary; and b) On previously developed land within the settlement boundary; ... [emphasis added]

Natural England consider a policy which states that development "will be approved" can be taken as a policy giving a presumption in favour of development. NPPF para. 177 states that "The presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or

projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site.” The impact of developing land within the settlement boundary that also falls within the SAC boundary has not specifically been addressed in the HRA and re-development of the previously developed land could potentially be a possibility. Natural England seeks revision of the settlement boundary to exclude the SAC.

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