



# Hearing Statement on behalf of Wainhomes (South West) Ltd

In relation to: Matter 1 – Procedural / legal requirements

for Wainhomes (South West) Ltd

Emery Planning project number: 17-040

Project : 17-040  
Hearing : Matter 1 – Procedural /  
legal requirements  
Client : Wainhomes (South West)  
Ltd  
Date : February 2021

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## 1. Introduction

1.1 Emery Planning is instructed by Wainhomes (South West) Ltd (hereafter referred to as “Wainhomes”) to attend the Dartmoor Local Plan examination. This hearing statement sets out our response to the Inspector’s Matters, Issues and Questions in relation to Matter 1 – Procedural / legal requirements. It should be read in conjunction with our detailed representations to the Submission Version of the plan, and our other Hearing Statements submitted to this examination.

## 2. Issue 1: Duty to Cooperate

### **Q1. What strategic, cross-boundary matters have arisen through the preparation of the Local Plan and what cooperation took place to resolve them?**

2.1 The Plymouth and South West Devon Joint Local Plan (adopted in March 2019) expressly relies upon a contribution of 600 dwellings from the National Park for the period 2014 to 2034. Paragraph 3.22 of the adopted Joint Local Plan states:

*“Dartmoor National Park Authority has indicated that its contribution to meeting the needs of the HMA will be around 600 dwellings over the plan period, and is committed to delivering this figure through its Local Plan Review.”*

2.2 Through the preparation of the Joint Local Plan, Dartmoor NPA confirmed to the Joint Local Plan authorities that they were content with the ‘Dartmoor Allowance’ of 600 homes to be provided to meet needs in the National Park. The Joint Local Plan authorities submitted a letter from Dartmoor NPA as part of its evidence to the Joint Local Plan examination and relied upon it in relation to the provision of the 600 dwellings in the NPA (copy overleaf).

2.3 Plymouth City Council, West Devon Borough Council and South Hams District Council made joint representations at both Regulation 18 & 19 Stages of the Dartmoor Local Plan, setting out that they believed that the local plan should set out a housing requirement figure in order to provide certainty that commitments are fulfilled and that the needs of the HMA are met in full. Whilst the Duty to Cooperate is not a ‘duty to agree’, considering the very clear commitments made by Dartmoor and the reliance placed upon that commitments in the examination of a neighbouring plan, it is essential that Dartmoor NPA follows through on that commitment. We discuss the implications of this commitment for the housing requirement further in our response to Matter 4: Housing.



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17 February 2017

Dear Richard

**Plymouth/South Hams/West Devon Joint Local Plan  
Duty to Co-operate and Dartmoor housing need figures**

I write to confirm the following on behalf of the Dartmoor National Park Authority.

The Authority's officer team has been collaborating on the Plymouth HMA evidence base, and in fact are jointly funding the work.

As part of the Duty to Co-operate we have had regular meetings with Plymouth and the two other Councils throughout the gestation of their joint Local Plan. We have collaborated on the development of the distribution strategy that has resulted in a Dartmoor allowance of 600 homes, to be delivered in the park 2014 – 2034, covering the South Hams and West Devon parts of the National Park. The Authority has welcomed the approach to housing and concluded that the recognition of the JLP of the need to accommodate the bulk of housing delivery in the Joint Local Plan area was positive. The 'Dartmoor Provisional Allowance' indicated was the product of discussion, based upon our combined best available evidence at the time.

The National Park Authority will be taking forward the work on the Plymouth HMA OAN, and the Dartmoor Allowance into their own Local Plan review work, which is now underway, and will refine and confirm this housing allocation figure through continued joint work on an overarching 'story' for the HMA's distribution strategy.

The Authority and Plymouth/South Hams/West Devon will work to put together a Memorandum of Understanding to confirm the above in more detail in due course.

I trust this letter sets out the close working relationship we have enjoyed thus far with Plymouth, South Hams and West Devon as part of the duty to co-operate in respect of the Plymouth JLP and Dartmoor's own Local Plan review.



Yours sincerely

Stephen Belli  
**Head of Planning**  
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Bill Hitchens Chairman Kevin Bishop PhD Chief Executive (National Park Officer)

The purposes of the Dartmoor National Park Authority are to conserve and enhance the natural beauty, wildlife and cultural heritage of the National Park, and to promote opportunities for the understanding and enjoyment of the area's special qualities. In pursuing these purposes the Authority has a duty to seek to foster the economic and social well-being of the local community.

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### **3. Issue 3: Sustainability Appraisal**

#### **Q2. Does the SA test the Plan against reasonable alternatives where these exist, such as different options for housing, employment and minerals and waste (in respect of policies and proposals in the Plan)?**

- 3.1 It should be noted from the outset that the Sustainability Appraisal process is a numerical exercise which fulfils a legal requirement to assess reasonable alternatives. It cannot replicate a planning balance exercise, which involves the weighing of numerous quantitative and qualitative planning considerations, and should not be used as the sole or main methodology for the selection of policies or site allocations in the emerging plan. Assessing matters such as accessibility to services or landscape sensitivity requires a far more considered appraisal than a simple scoring based upon proximity to certain features.
- 3.2 Notwithstanding the above, we note that the Sustainability Appraisal is used to justify the NPA's selection of sites in the Development Sites Topic Paper 9, and consequently it is important that the Sustainability Appraisal correctly assesses each site. Our representations to the Regulation 19 consultation set out a number of concerns in relation to the assessment of development site options at South Brent (Appendix V of the Sustainability Appraisal). We discuss this further in our response to Matter 9: Site Allocations.