



Dartmoor Local Plan 2018-2036 Examination

Matter 9 – Site Allocations

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

8th February 2021

Issue 2 Site allocations (all)

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

Natural England consider that site allocations within a National Park landscape should be supported by a formal plan-level 'Landscape and Visual Impact Assessment' (LVIA). Without this we do not feel that the site allocations have been supported by adequate evidence to enable the LPA to be confident that the major development test (NPPF para 172) can be met.

Footnote 55 in the NPPF states that: "For the purposes of paragraphs 172 and 173, whether a proposal is 'major development' is a matter for the decision maker, taking into account its nature, scale and setting, and whether it could have a significant adverse impact on the purposes for which the area has been designated or defined".

The two statutory purposes for Dartmoor National Park's designation are: i) To conserve and enhance the natural beauty, wildlife and cultural heritage of the National Park; and ii) To promote opportunities for the understanding and enjoyment of the special qualities of the National Park by the public.

The DNPA policy 1.5(2) interpretation of NPPF footnote 55 somewhat reduces the definition and states that the Authority will decide whether a proposal is major development by considering the potential to have a significant adverse impact on the special qualities of the National Park. Regardless of the difference in effectiveness due to the phraseology of the two definitions, to be able to make that judgement about harm on the protected landscape the LPA will need appropriate evidence such as that provided by LVIA.

Where a figure is given, all allocations are for more than 10 dwellings so could be argued to be major development.

Many of the sites are allocated within the existing 'Development Management and Delivery Development Plan Document' (adopted July 2013). However, if they are included within the Plan review document they are presented for re-appraisal.

The Landscape Sensitivity Assessments (SD114, 115 & 116) set out evidence regarding the landscape sensitivity of blocks of land surrounding settlements. Taking Yelverton as an example (Landscape Assessment SD116) two of the blocks of land surrounding the settlements contain parcels of land which have been allocated. Landscape block HY3 includes proposal 7.19 (Binkham Hill) and landscape block HY4 includes proposal 7.18 (Elfordtown Farm). The landscape sensitivity of both blocks of land are recorded as having moderate-high sensitivity to future change. Whilst this evidence provides essential information to support a landscape and visual impact assessment it does not assess the landscape or visual impact of developing a specific site taking into account the sensitivities of the local landscape. Similarly, the Devon Landscape Character Assessment (SD112) provides information on landscape character to support local plans but does not provide specific assessments for prospective development sites. In addition, a number of site allocations (for example proposal 7.5(2) Barn Park) have been excluded from the Landscape cells in the Landscape Sensitivity Assessments (SD114, 115 and 116), therefore, the sensitivity of these sites is not recorded.

For Dartmoor to conclude that the site allocations are reasonable and justified, they need to provide reasoned evidence that development of the sites will not have a significant adverse impact on the purposes for which the National Park has been designated, and, therefore, are not major development. Alternatively, where the evidence concludes that an allocation does constitute major development, the exceptional circumstances, or reasons why the development is in the public interest need to be demonstrated.

The Dartmoor Landscape Character Assessment (LCA) (SD113) “highlight[s] those key characteristics and valued attributes that are of significance to the particular landscape concerned”, i.e. each Landscape Character Type (LCT) within Dartmoor. The LCA also sets out a Landscape Strategy and Planning Guidance for each LCT, to provide information about which characteristics and attributes to Protect, which to Manage and which to Plan, in order to strengthen the landscape’s resilience to future change.

We could find no evidence to demonstrate that the Site Briefs (SD175 to SD191) for the Allocations have been informed by the strategy for the relevant LCT as described in the Landscape Character Assessment (SD113). Some of the Briefs do require ‘landscaping’ as a site-specific requirement but there is no evidence that these measures have been informed by the Landscape Sensitivity Assessments (SD114, 115 & 116) or the Landscape Character Assessment (SD113). The site-specific landscape characteristics and special qualities of each allocated site have not been identified, nor has an impact assessment been undertaken to assess the effects of developing the site on the surrounding (and wider if applicable) landscape. In addition, and as noted above, for some of the sites the sensitivity has not been recorded as the sites are outside of the Landscape cells in the LSA (SD114, 115 & 116). Combining this evidence and making a judgement on impact forms the basis of a Landscape and Visual Impact Assessment which could then inform significance of any impact identified and inform the measures needed to Protect, Manage or Plan the key characteristics and attributes of the site, as applicable.

Taking as an example, the proposed allocation at Barn Park, Buckfastleigh (proposal 7.5(2) – allocated for 26 homes), the site brief states that “No heritage or landscape constraints, but visually prominent from some views from the east”. There appears to be no further evidence to back up this statement or an assessment of the impact of the development on the protected landscape. The site brief does not identify any specific measures to minimise/mitigate the impact on the landscape. The site briefs provide some evidence of landscape assessment but not as part of a formal LIVA. In summary, Natural England consider that a Landscape and Visual Impact Assessment should be undertaken to support site allocations in a protected landscape. Part of the background evidence for this work is set out in the landscape sensitivity assessments and the Devon and Dartmoor Landscape Character Assessments. What is missing is evidence to demonstrate the likely landscape and visual impact of developing a site and to identify any mitigation measures likely to be required. Mitigation may require that parts of a site are undeveloped which could therefore affect the amount of homes that could reasonably be delivered and consequently have an impact on viability & deliverability.

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?

Project-level HRA and accompanying surveys are needed to assess the impact on bats because the site allocations in Ashburton, Buckfastleigh, South Brent and Buckfast are in zones identified in the South Hams Bat SAC Guidance. It is important that developers are aware of this Guidance and the implications of these zones. Natural England suggest that it might be more effective to refer, in Plan text, to the more detailed Guidance set out in the adopted South Hams SAC Greater Horseshoe Bat HRA Guidance, which is now on the Authority’s website.

Stephanie Parker-Stephenson
Natural England