

DARTMOOR NATIONAL PARK AUTHORITY

Friday 1st December 2023

Present: W Dracup, P Harper, G Hill, M Jeffery, S Morgan, C Mott, P Sanders, P Smerdon, P Woods, G Gribble, J Nutley, M Renders, G Pannell, A Cooper

Apologies: J McInnes, M Owen, L Samuel, D Thomas, M Williams

Officers: K Bishop, Chief Executive (National Park Officer)
J Wright, Recreation Strategy Development Officer
A Gandy, Acting Head of Forward Planning and Economy

Independent Person in attendance: C Shewan

3519 Declarations of Interest

It was reported that there were no declarations of interest.

3520 Minutes of the previous meetings

The Minutes of the meetings held on 6 October 2023 were agreed.

Mr Cooper proposed the recommendation, which was seconded by Mr Sanders.

3521 Chair's Report

The Chair reported attending the following:

- National Parks Partnership AGM, chaired by Cat Hawkins, in which there was a lot of discussion about the new funding for the private sector, which potentially will make its way to National Parks eventually. (NPP is all the parks in Great Britain). Our Chair and Chief Executive (National Park Officer) also met with Cat Hawkins.
- Team Devon Meeting which comprises Chief Executives and Leaders of County and District Authorities in Devon. The devolution deal was a large topic of conversation and the potential impact / benefit this might have, which is now public. To note, Torbay are also a member of the devolution partnership. Should be some benefit to Dartmoor.
- Park Forum which was well attended by Members and guests from the community who enjoyed getting together and exchanging news. Of note, was the item on curlews.

It was noted that our Chief Executive (National Park Officer) had appeared on both local and national television and represented our issues very well. The Chief Executive (National Park Officer) agreed that it had been very useful to have the coverage and the right of comment.

3522 Items Requiring Urgent Attention

It was reported that there was nothing requiring urgent attention.

3523 Public Participation

It was reported that there was no public participation.

3524 Countryside and Rights of Way Act 2000 – Statutory Review of West Dart River Valley Dog Restriction

Members received the report of the Recreation Strategy Development Officer (NPA/23/022)

Access has been restricted on this piece of land since CRoW was enacted in 2005

There is a statutory obligation to review the restriction every 5 years and we are now at that point.

The Officer showed the Meeting a mapped area which showed where restriction was in place from 2005 to 2018 and which enforced the total exclusion of dogs under Section 26 for conservation purposes. In 2018 this was changed to allow dogs on leads into the area. Both restrictions were put in place in order to restrict access for nature conservation purposes – namely breeding otter populations and spawning grounds for Atlantic salmon.

In October 2023, surveys were undertaken by Ecology. The support for maintenance to protect nature conservation interests continues for the prevalence of active otter populations and good spawning conditions for Atlantic Salmon populations. There is no evidence that downgrading in 2018 from “total exclusion” to “dogs on leads” has had any detrimental impact.

The proposal has gone to statutory consultees (listed in report) as well as to the public and received unanimous support for maintenance of the rule to keep dogs on leads in this area. This included support from DAF (statutory advisor on access to countryside). Ramblers suggested that this area is a low usage area by public and therefore the need for any restriction be considered under next review. Kennel club have queried the breadth of restriction. Otter create natal dens up to 1km away from river and our mapping of access points do not allow a narrower area of restriction.

Due to presence of species and quality of the natural largely undisturbed environment, officers consider maintenance of the restriction in its current form to be the least restrictive option necessary to fulfil its original purpose.

Mr Harper remembers when this was first put in place and is happy with the restriction but asks that the signage is updated from the bridge and from Sherberton Farm on the paved road. Mr Smerdon reiterated this request and asked what the signage will say. It was agreed that these key points for access will have new signage, and this should address the main traffic in this area.

It was recommended that,

- Members approved the continuation of the current access restriction requiring dogs to be always kept on a lead within the mapped restriction zone in the West Dart River Valley (assistance dogs are exempt from the restriction). Dartmoor National Park Authority will review the need for this direction within five years as required by CROW section 27(3).

Mr Harper proposed the recommendation, which was seconded by Mr Cooper. All in favour.

RESOLVED: Members approved the continuation of the current access restriction requiring dogs to be kept on a lead along ecologically sensitive areas of the West Dart River Valley (assistance dogs are exempt from the restriction). Dartmoor National Park Authority will review the need for this direction within five years as required by CROW section 27(3).

3525 Housing Supplementary Planning Document (SPD)

Members received the report of the Acting Head of Forward Planning and Economy (NPA/23/023)

Amendment to report

Before presentation of the report, the Officer asked to table a minor amendment to the report for Members agree to revoke the 2014 Affordable Housing SPD.

The Officer advised that this recommendation ensures that, if Members choose to adopt the Housing SPD, the current Affordable Housing SPD (now superseded) is revoked and does not continue to take effect.

Regulation 15(2) of the 2012 Local Planning Act provides that, "A local planning authority may revoke any supplementary planning document." provided that, upon revoking a SPD, the following steps are taken:

- Make available a public statement on the revocation in accordance with regulation 35. No consultation is required but the planning policy web pages will be updated to raise awareness of revocation and a revocation statement will be published online.
- Send, to each body or person which made representations on the SPD, notification that the document has been withdrawn. The contacts on DNPA's planning policy consultation database will be notified of Members' decision to revoke the SPD.
- Cease to make withdrawn documents available. The Affordable Housing SPD will be removed from DNPA's website.

National policy states that supplementary planning documents (SPDs) should build upon and provide more detailed advice or guidance on and not introduce new planning policies into the development plan.

The Housing SPD provides guidance to support the delivery of a range of different housing tenures. Preparation of the SPD started in Spring 2022 and included research, and discussion with specific stakeholders, with the Joint Advisory Committee (JAC) on housing, and the Planning and Sustainable Development Working Panel. Members approved the draft Housing SPD to progress to consultation on 6 January 2023. The consultation opened on 6th February and closed on 27th March 2023. Engagement as part of the consultation procedure included:

- Email consultation with Forward Planning’s policy consultee list, which includes a broad range of around 400 statutory and non-statutory consultees with an interest in Dartmoor
- Dartmoor homepage website link directly to the consultation, supported by various other links throughout the Dartmoor website, including the planning homepage (see Figure 1.1)
- Social media publicity throughout the consultation via Twitter and Facebook (see Figure 1.1)
- 2 virtual drop-in events held via Teams, for the general public and Town and Parish Councils
- A further drop-in event was offered to agents but did not run because of lack of interest
- Various ‘deep-dive’ meetings with officers, specialists, and other internal and external stakeholders

There were 30 responses to the consultation, mostly from specialist stakeholders working in and around housing delivery. The Statement of Consultation provides full details of the consultation responses received and how they have been responded to and resulting minor changes to the draft Housing SPD were made and reported in appended reports.

LURA: Government proposals in the Levelling Up and Regeneration Bill included policy reforms proposing to remove SPDs as a plan making tool. The now enacted Levelling-up and Regeneration Act 2023 introduces new legislation which allows for, their replacement, Supplementary Plans, which will have the full weight of policy.

The Government has set out transitional arrangements that mean SPDs will continue to have effect until the point at which the Authority is required to have adopted a new style Local Plan. For Dartmoor this will be around June 2028 (but could be earlier).

At this point, the current Government proposals are that the SPD will automatically cease to have effect, although regulation implementing this has not yet been drafted.

SA/SEA: When producing an SPD, DNPA are required to screen for whether a Sustainability Assessment / Strategic Environmental Assessment is required. This was carried out at consultation stage and concluded the SPD did not require SA/SEA. We consulted Historic England, Natural England and the Environment Agency for their views on the conclusion and, in response, all these organisations agreed with the conclusion of screening assessment, and that an SEA is not required.

It was recommended that:

1. Members note the conclusion of the SA/SEA Screening Assessment and the contents of the Statement of Consultation.
2. Members agree to adopt the Housing SPD, and delegate authority to the Chief Executive (NPO) in consultation with the Chair, to make minor changes to the document if considered necessary prior to publication.
3. Members agree to revoke the 2014 Affordable Housing SPD

The Chair thanked the officer and asked how the document would be used in practice with a planning application. The Officer explained that the SPD provides helpful guidance on our policies and their goals. It provides more detail on restrictions for Affordable Housing (included in Section 106) both for general public and our own officers to achieve consistency in processes.

In response to a Member asking whether there will be a period of grace between the document going live and the previous document for current ongoing applications, it was advised that the draft SPD is already being considered in applications and there is nothing that might create a conflict between the two documents.

Following a question from a Member regarding a consultation response asking whether local qualification could be extended from Dartmoor parish / local parishes to a wider area. Asking whether this could be taken into consideration with next review. The Member went on to say that representing local needs / local people sometimes developments that attract from neighbouring parishes not on the Moor, rather than such a tight restriction might mean the development does not go ahead at all. It was advised that we do allow homes to cascade beyond the Dartmoor boundary when renting as the churn is higher as long as there is no-one within the boundary. For sale housing, however, this would be a permanent exchange and therefore the eligible household must meet our selection criteria, which is not necessarily mean you live in the area, related to someone in the area, work in the area over 16 hours per week. We are however strict on identifying need for housing in the community.

Mr Dracup proposed the recommendation, which was seconded by Mr Cooper. This was passed unanimously.

RESOLVED: Members:

1. Noted the conclusion of the SA/SEA Screening Assessment and the contents of the Statement of Consultation.
2. Agreed to adopt the Housing SPD, and delegate authority to the Chief Executive (NPO) in consultation with the Chair, to make minor changes to the document if considered necessary prior to publication.
3. Agreed to revoke the 2014 Affordable Housing SPD

3526 Authority Representation on National Parks Partnership LLP

Members received the report of the Chief Executive (National Park Officer) (NPA/23/024).

The National Parks Partnership was set up by the fifteen parks in England, Wales and Scotland as a separate legal entity to procure additional funds/sponsorship. Annually, we would normally make a formal appointment for representation at this body. We now propose that the representative for the Authority at the National Parks Partnership LLP should be Deputy Chair (replacing Chair). The Deputy Chair was previously a member of the operational management board of the National Parks Partnership.

It was recommended that:

Members approve the appointment of Peter Harper as the Authority's formal representative on National Parks Partnership LLP, with effect from the date of this meeting until the next annual meeting of the Authority.

Mr Dracup proposed the recommendation, which was seconded by Mr Gribble. The majority in favour, with one abstention from Mr Harper.

RESOLVED: Members

agreed the appointment of Peter Harper as the Authority's formal representative on National Parks Partnership LLP, with effect from the date of this meeting until the next annual meeting of the Authority

3527 Withdrawal from and proposed dissolution of the Heart of the Southwest Joint Committee

Members received the report of the Chief Executive (National Park Officer) (NPA/23/025).

In 2015 the local authorities (Somerset, Devon, Torbay, Plymouth) set up the Heart of The Southwest Joint Committee in order to take forward a potential devolution vehicle. Now deemed no need for this committee as there are alternative arrangements for Devon.

It was recommended that Members agree:

1. To serve formal notice of the Authority's intention to withdraw from the Heart of the Southwest Joint Committee; and
2. To record their support that the Heart of the Southwest Joint Committee be dissolved as of 31 December 2023 if that is the wish of the majority of Constituent Authorities (i.e. members of the Joint Committee).

The Chair added that recent meetings of this committee have been cancelled and there was deemed no real need for the meetings. Other bodies have taken over this requirement.

This was proposed by Mr Harper and seconded by Mr Cooper. Unanimously in favour.

RESOLVED: Members agree:

1. to serve formal notice of the Authority's intention to withdraw from the Heart of the Southwest Joint Committee; and
2. to record their support that the Heart of the Southwest Joint Committee be dissolved as of 31 December 2023 if that is the wish of the majority of Constituent Authorities (i.e. members of the Joint Committee).

The meeting closed.