

ED11

**Dartmoor Local Plan 2018-2036 (the Local Plan/the Plan) Examination****Inspector – Ms R Barrett Bsc (Hons) MSc Dip UD Dip Hist Cons MRTPI  
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**Inspector Note 3****Matters, Issues and Questions****Matter 1 – Procedural/legal requirements**

Whether the Authority has complied with the relevant procedural and legal requirements.

*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? (defined as matters having a significant effect on at least two planning areas)<sup>1</sup>
- Q2. Has the Authority maximised the effectiveness of the Plan by engaging constructively, actively and on an ongoing basis with prescribed bodies on the relevant strategic matters and what form has it taken?
- Q3. In overall terms, has the Duty to Cooperate under sections 22(5)(c) and 33A of the Planning and Compulsory Purchase Act 2004 (2004 Act) and Regulation 4 of the Town and Country Planning (Local Planning) (England) Regulations (2012) (2012 Regulations) been complied with, having regard to advice contained in the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (the PPG)?

*Issue 2 Plan preparation and public consultation*

- Q1. Has the Local Plan been prepared in accordance with the published Local Development Scheme (2018)<sup>2</sup> in terms of its form, scope and timing?
- Q2. Has public consultation been carried out in accordance with the Authority's Statement of Community Involvement (2018)<sup>3</sup>, and the requirements of the 2004 Act and 2012 Regulations?

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<sup>1</sup> S33A(4) Planning & Compulsory Purchase Act 2004

<sup>2</sup> SD45

<sup>3</sup> SD14

### *Issue 3 Sustainability Appraisal (SA)<sup>4</sup>*

- Q1. Have the likely environmental, social and economic effects of the Plan been adequately assessed in the SA?
- 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)?
- Q3. How has the SA informed the development of the Plan, including the choice of indicative housing delivery figure and any mitigation measures?
- Q4. In overall terms does the Plan meet the legal requirements of Section 19(5) of the 2004 Act and accord with NPPF paragraph 32 and the PPG in this regard?

### *Issue 4 Habitats Regulations*

The Authority has submitted an HRA Screening and Appropriate Assessment Addendum (SD77). That deals with the significant adverse in-combination impacts arising from recreational disturbance on the Special Areas of Conservation (SACs) within the National Park. It responds to Natural England's comments on the HRA Screening and Appropriate Assessment Report (2019) (SD78).

- Q1. In respect of the South Dartmoor Woods and Dartmoor SACs, are there effective measures in place to investigate and evaluate concerns about the future cumulative recreational impacts arising from new development outside the National Park boundary?
- Q2. Would ongoing work in respect of recreational impacts on designated and non-designated habitats within the National Park be reflected in the Plan?
- Q3. What is the current mitigation in extant plans to protect the integrity of European Sites within the National Park and on the basis of the current evidence of potential impacts would it be effective?
- Q4. Would site specific policies requiring an Appropriate Assessment (AA) for the proposed allocations at Ashburton, Buckfastleigh and South Brent be sufficient to ensure no adverse impacts on the South Hams SAC?
- Q5. Would the approach to development within the National Park that would fall within the Plymouth Sound and Estuaries SAC/Tamar Complex Special Protection Area (SPA) Zone of Influence be justified in not requiring contributions towards the strategic Mitigation Strategy (2019)?

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<sup>4</sup> SD04-13

- Q6. In summary, have the requirements of the Habitats and Species Regulations 2010 been complied with, having regard to relevant national policy and guidance?

*Issue 5 Other Matters*

- Q1. Does the Plan include policies in relation to climate change so as to meet the requirements of Section 19(1), (1A) & (3) of the 2004 Act?
- Q2. How have issues of equality been addressed in the Plan?

<b>Matter 2 – Vision, spatial strategy and planning applications</b>
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Whether the Vision and strategic policies and other policies 1.1(2) to 1.9(2) are positively prepared, justified, effective and consistent with national policy.

*Issue 1 The Vision and other matters*

- Q1. Is the Vision for Dartmoor National Park (as set out on pages 17 and 18 of the Plan) consistent with the priorities in the English National Parks and the Broads Circular 2010? Would the strategic policies in the Plan, when read as a whole, deliver that Vision?
- Q2. What is the justification for the Plan period of 2018 to 2036? If the Plan were to be adopted after April 2021 would a modification be required in this regard?
- Q3. Having regard to paragraph 21 of the NPPF, does the Plan make clear which policies should be regarded as 'strategic policies' and would they constitute a clear strategy for the pattern, scale and quality of development in the National Park?

*Issue 2 Strategic Policy (SP) 1.2(2) Sustainable development*

- Q1. What is the background and justification for this policy?
- Q2. How is it intended to be implemented in relation to specific development proposals and how would it relate to other policies in the Plan?
- Q3. Does the policy adequately and effectively deal with the range of issues relating to sustainable development, for example climate change, minerals development, the use of previously developed land?
- Q4. Is the policy consistent with national policy?
- Q5. Is a modification necessary for soundness to ensure that it effectively addresses the adverse impacts on flood risk and the use of sustainable materials?

*Issue 3 SP 1.3(2) Presumption in favour of sustainable development*

- Q1. What is the justification for this policy?
- Q2. In its current form would it accord with the PPG and NPPF paragraph 16(f)? Would it have a clear purpose and avoid unnecessary duplication of policies in the NPPF?

*Issue 4 SPs 1.4(2) Spatial strategy, 3.3(2) Housing in Local Centres, 3.4(2) Housing in Rural Settlements and 3.5(2) Housing in Villages and Hamlets, 5.1(2) Non-residential businesses and tourism, 5.2(2) Town Centres, 5.3(2) Shops and other activities*

- Q1. What methodology was employed to assess settlements for inclusion in the settlement hierarchy? What factors were taken into account and is the approach justified?
- Q2. What methodology was employed to indicate the anticipated level of development for each tier of the settlement hierarchy? What factors were taken into account and is this robustly based?
- Q3. How was the figure of 'around 60% of the indicative housing delivery figure of 65 dwellings per year' in Local Centres arrived at? Is that figure justified by the evidence? Should a figure be included for the other settlement tiers? In the absence of an apportionment figure for each settlement would the Plan adequately meet identified need for example within West Devon and South Hams?
- Q4. Is the approach to provide for development in the open countryside consistent with national policy?
- Q5. What is the Authority's strategy for economic growth? How will the Plan help to improve the alignment between the locations of workplace and homes? Should the Plan identify a jobs growth and/employment land target?
- Q6. Does the spatial strategy strike the right balance between conserving and enhancing the natural beauty, wildlife and cultural heritage of the National Park, whilst positively addressing the socio-economic issues it faces? Would the spatial strategy and related policies provide clear guidelines to direct development to the most suitable and sustainable locations?
- Q7. Would a modification be required for soundness to restrict opportunities in Rural Settlements to new or improved small scale employment sites and to ensure consistency with paragraph 5.2.4 of the Plan?
- Q8. Overall, is the Plan's general approach to new housing, employment and tourism development, as set out in SPs and other policies of the Plan consistent with paragraph NPPF 116?

*Issue 5 SP 1.5(2) Major development*

- Q1. Would the Plan's definition of 'Major Development' accord with NPPF footnote 55, which indicates that it is a matter for the decision maker, taking account of the nature, scale and setting and whether it could have a significant adverse impact on the special qualities of the National Park?

- Q2. How is it intended to be implemented in relation to specific development proposals and how would it relate to other policies in the Plan and site allocations?
- Q3. Would the wording of criteria a) in referring to a national need accord with NPPF paragraph 172?

*Issue 6 SP 1.6(2) Design*

- Q1. Does the policy adequately address community safety matters?
- Q2. To ensure soundness, should the design principles set out in paragraph 1.6.5 of the supporting text be included within policy? In referring to the Dartmoor National Park Design Guide would the policy be justified and effective?

*Issue 7 SP 1.7(2) Sustainable construction*

- Q1. In focussing on a reduction in energy use and carbon emissions, would the policy be justified by the evidence? Would the 'fabric first' approach strike the right balance between minimising energy usage and promoting renewable energy?
- Q2. In setting energy performance standards that exceed the Building Regulations, would the policy be justified by the evidence, consistent with national policy and accord with the emerging Future Home Standard?

*Issue 8 Policies 1.8(2) Protecting local amenity and 1.9(2) Higher risk development and sites*

- Q1. Would these policies set clear frameworks to indicate how the decision maker should respond to a development proposal? Are modifications required for soundness to ensure clarity and consistency with NPPF paragraph 16d?
- Q2. Would policy 1.8(2) adequately address the adverse impacts of noise on quality of life? In this respect would it accord with NPPF paragraph 180?

### **Matter 3 – The Environment**

Whether the Local Plan has been positively prepared and whether it is justified effective and consistent with national policy in relation to its approach to protecting the quality of the National Park's environment.

#### *Issue 1 SP 2.1(2) Landscape*

- Q1. Would modifications to this policy or supporting text be required, for soundness, to ensure it is effective and clear as to how a decision maker should react to it?

#### *Issue 2 SP 2.2(2) Biodiversity and geodiversity and SP 2.3(2) Biodiversity net gain*

- Q1. Would Strategic policy 2.2(2) and its supporting text provide adequate protection for ancient trees and accord with NPPF paragraph 175 (c), in this respect?
- Q2. Overall, are modifications to that policy and supporting text required, for soundness, to ensure it is effective, being clear as to how a decision maker should react to it, that it appropriately reflects the requirement to conserve and enhance biodiversity and geodiversity and the tests and mitigation hierarchy in relation to designated and protected sites? Would it be consistent with national policy in these respects?
- Q3. Would SP 2.3(2), in not requiring all development to deliver net gain regardless of impact on biodiversity, be consistent with national policy? Should the scope of the policy be extended to undesignated habitats to ensure soundness?
- Q4. Overall would these policies, together, provide adequate protection for biodiversity and geodiversity, be effective and consistent with national policy? Would they, together, provide adequate protection for the South Hams SAC?

#### *Issue 3 SP 2.4(2) Moorland, heathland and woodland*

- Q1. Does the policy adequately reflect the role that these habitats play in flood management and protection of water quality? Given the reasons for designation under the Wildlife and Countryside Act 1985, should it refer specifically to those matters?

#### *Issue 4 SP 2.5(2) Tranquillity and dark night skies*

- Q1. Would the Plan provide an effective framework to protect Dartmoor's landscape and historic character, visual amenity and biodiversity from the impacts of light pollution and to maintain Dartmoor's dark skies?

#### *Issue 5 SP 2.6(2), 2.7(2) and policy 2.8(2) heritage assets*

- Q1. Should the title of SP 2.6(2) and text at para 2.6.10 reflect the statutory duty in relation to designated heritage assets?

- Q2. Does para 2.6.17 reflect the heritage balance in relation to designated heritage assets set out in NPPF paragraphs 195-196?
- Q3. SP 2.7(2)5 refers to removing permitted development (PD) rights. In light of NPPF paragraph 53 and the PPG<sup>5</sup>, would this approach accord with national policy?
- Q4. Would policy 2.8(2)1a be consistent with NPPF paragraph 202, in referring to 'departing from the development plan' rather than planning policies? Would it be clear and unambiguous?

*Issue 6 Policy 2.9(2) Water environment and flood risk*

- Q1. Would the policy be consistent with national policy in respect of the sequential and exception tests for new development in flood risk areas? Would any modifications be necessary, in the interests of soundness, to ensure that the policy and supporting text are effective and consistent with national policy?

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<sup>5</sup> PPG ID 21a-017-20190723



<b>Matter 4 – Housing</b>
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Whether the Local Plan has been positively prepared and whether it is justified effective and consistent with national policy in relation to its approach to housing.

*Issue 1 SP 3.1(2) Meeting housing need*

*Housing needs*

- Q1. The PPG indicates that the standard methodology is not to be used to assess local housing need in National Parks and that the housing need figure should be identified using a locally determined method, using best available information on changes in households and local affordability levels. In this context was the methodology used to identify a housing need figure locally appropriate and justified by the evidence? Does that figure provide the basis for a positively prepared Plan?
- Q2. Are the assumptions made in relation to migration, household formation and vacancy rates reasonable and justified by the evidence?
- Q3. How have the Plymouth and Exeter Housing Market Area SHMAs been taken into account in arriving at that figure?

*Issue 2 Housing requirement/delivery*

- Q1. Is the indicative housing delivery figure of 1,125 dwellings over the Plan period (65 dwellings a year) justified by the evidence? Would it strike the right balance between addressing the socio-economic issues that the National Park faces, meeting identified local housing need and conserving and enhancing the natural beauty, wildlife and cultural heritage of the National Park? Would it help to meet the Plan's Strategy and Vision?
- Q2. Would the Plan's approach to include an indicative housing delivery figure SP3.1(2), rather than a housing requirement, be justified by the evidence?
- Q3. Has the scale and distribution of site allocations and other means of housing supply been informed by the level of need for the relevant HMAs identified in their respective SHMAs?
- Q4. Would a needs based approach to housing delivery strike the right balance between providing certainty through the development plan, striving to meet the housing requirement/indicative delivery figure, delivering to meet local needs and conserving and enhancing the natural beauty, wildlife and cultural heritage of the National Park? Would such an approach provide the necessary certainty that allocated sites would come forward?
- Q5. In light of proposed site allocations, is the lack of a housing trajectory justified?

- Q6. Does the policy framework provide sufficient guidance to ensure consistency in the preparation and application of housing needs assessments?
- Q7. Would the housing strategy proposed provide for a five year housing land supply on adoption and maintained? (Please provide a simple table)
- Q8. Does the Plan sufficiently promote the use of previously developed land in accordance with NPPF paragraph 118? Should the provisions set out in paragraph 3.1.13 be set within policy?

### *Issue 3 Affordable Housing*

- Q1. National policy sets out that the provision of affordable housing should not be sought for residential developments that are not major developments (i.e. 10 or more dwellings), other than in designated rural areas (where the policies may set out a lower threshold of 5 units or fewer). In this context, is the approach to require affordable housing on sites of 5 dwellings or fewer justified by the evidence?
- Q2. What is the justification for development sites to deliver 45% affordable housing? Has this been viability tested and what is the justification for the reduction from the current Plan requirement?
- Q3. Would the approach to relax the current staircasing restriction for shared ownership housing to 80% be justified by the evidence?
- Q4. Would the policies generally provide effective wording that encourages and enables delivery of affordable housing, without placing unnecessary restrictions that would frustrate delivery?

### *Issue 4 SP 3.2(2) Size and accessibility*

- Q1. Would the requirement for all new housing, (including affordable housing and custom and self-build housing) to meet and not significantly exceed the nationally described technical standards be justified by the evidence? Would such a requirement accord with NPPF paragraph 127 and footnote 46 and the PPG which sets out the range of evidence required to justify such an approach?
- Q2. Would the application of Building Regulations M4(2) for accessible and adaptable dwellings and M4(3) be justified by the evidence?
- Q3. What is the justification for further size restriction on private affordable housing?

### *Issue 5 Policy 3.6(2) Custom and self-build housing*

- Q1. Would this policy provide the necessary flexibility to ensure that demand for self and custom build housing in the area is met in accordance with the provisions of the Housing and Planning Act 2016?

- Q2. Is the size restriction set out in 3.6(2)2a justified by the evidence? Would it be unduly restrictive in light of the need for an occupant to actively determine design?

*Issue 6 Policies 3.7(2) Residential alterations, extensions and outbuildings and 3.8(2) Replacement homes*

- Q1. Would the design expectations set out in paragraphs 3.8.9 provide sufficient flexibility to reflect the wide range of dwelling types within the National Park? Are modification/s required to clarify that those design expectations should inform design rather than read as policy requirements?
- Q2. What is the justification for the base date to calculate 'original dwelling'?
- Q3. NPPF paragraph 53 and PPG, together advise that planning conditions should not be used to restrict national Permitted Development (PD) rights, unless there is clear justification to do so and that conditions restricting the future exercise of PD rights may not pass the test of reasonableness or necessity<sup>6</sup>. In light of this, would each policy reflect the 'exceptional circumstances' required to justify such an approach?
- Q4. Overall, would the policies provide sufficient flexibility to enable working people to stay within their communities and maintain a stock of more affordable accommodation to attract workers?

*Issue 7 Policies 3.9(2) Rural workers' housing and 3.10(2) Residential annexes to support farming*

- Q1. What is the justification for the maximum internal gross floor area and would such an approach provide sufficient flexibility to reflect the functional need of individual holdings? Would the approach taken to anti-severance agreements provide sufficient flexibility to support businesses?
- Q2. Would the restriction of PD rights, as set out in policy 3.10(3)C meet the 'exceptional circumstances' test required to justify such an approach?

*Issue 8 Policy 3.11(2) Gypsy and traveller accommodation*

- Q1. In the absence of any allocations to deliver gypsy and traveller accommodation, would the Plan be likely to meet the need identified in the most recent Gypsy and Traveller Accommodation Assessment for Devon (2015)? Is the approach to include a criteria based policy to meet that need based on robust evidence?
- Q2. Would the requirement for the need for the development to be demonstrated through a Gypsy and Traveller Accommodation Assessment be reasonable, and would the policy be effective, given the timing for production of such assessments?

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<sup>6</sup> 1 PPG ID 21a-017-20190723

- Q3. Is a modification required, in the interests of soundness, to acknowledge that 'highly vulnerable' uses such as residential mobile and park homes (as opposed to camping and caravan sites) should not be permitted in the high probability floodplain?

*Issue 9 Policy 3.12(2) Low impact residential development*

- Q1. Would the requirements for this type of development be reasonable and proportionate? Would the policy strike the right balance between enabling low impact residential development and conserving the natural beauty, wildlife and cultural heritage of the National Park?
- Q2. Is a modification required, in the interests of soundness, to provide clarity on the timeframe within which compliance with a business plan should be achieved? Should a monitoring mechanism be included?
- Q3. For soundness purposes, are other modifications required to the policy and supporting text to ensure that together they are effective, unambiguous and clearly set out how a decision maker should react to such development proposals?

<b>Matter 5 – Communities, Services and Infrastructure</b>
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Whether the Local Plan has been positively prepared and whether it is justified effective and consistent with national policy in relation to its approach to communities, services and infrastructure.

*Issue 1 SP 4.1(2) Community services and facilities*

- Q1. Would the requirement for 'marketing evidence to be proportionate to the scale of the loss' (paragraph 4.1.5) provide the necessary clarity to the decision maker and other parties? Would policy 4.1(2)2 a-c ensure that protection of community services and facilities is based on need? Would the policy help to protect the economic and social well-being of communities?

*Issue 2 SP 4.2(2) Public open space and sports facilities*

- Q1. Does the Open Space, Sport and Recreation Study<sup>7</sup> that supports this policy provide a robust and up to date assessment of the need for open space, sport and recreation facilities and opportunities for new provision, in accordance with NPPF paragraph 96?
- Q2. Does the policy provide a framework that positively encourages participation in recreational activities and the wider community use of community facilities such as school playing fields? If not, should it for soundness purposes?
- Q3. Would the evidence required to identify existing shortfalls in open space and sports facilities provide a robust evidence base for assessing any provision required through new development, including in relation to playing pitches?

*Issue 3 Policies 4.3(2) Sustainable transport, 4.4(2) Parking standards, 4.5(2) Electric vehicle charging points and 4.6(2) Public car parks*

- Q1. In setting the requirements for new development, should the Plan actively encourage rail reinstatement? Would the approach taken in the Plan meet the requirements of NPPF paragraph 102-104?
- Q1. What factors were taken into account in setting the car parking standards? Would the use of a minimum parking standard be justified in light of the need to promote sustainable forms of transport? Is there clear and compelling justification for a maximum standard for non-residential development and overall, would the car parking standards accord with NPPF paragraphs 105-106? Is a modification required, to ensure that Policy 4.3(2) is sound, in light of the recent changes to the Use Classes Order (UCO)?
- Q2. Would the requirement for electric vehicle charging points (EVCPs) be justified by the evidence, particularly the requirements for new dwelling communal parking, non-residential commercial development

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<sup>7</sup> SD141

and the focus on off-street provision only? Would any grid upgrade be required and has it been viability tested? In setting policies and targets outside the Building Regulations, would this policy accord with national policy and be justified?

- Q3. Would these policies, when taken together, provide a justified and effective approach to transport and associated infrastructure matters?

*Issue 4 Policy 4.8(2) Telecommunications*

- Q1. Would the policy accord with NPPF paragraph 116, in focussing on planning matters only, not seeking to prevent competition between different operators, question the need for an electronic communications system, or set health safeguards different from the International Commission?

*Issue 5 Policy 4.9(2) Access network*

- Q1. Would this policy provide a framework to mitigate recreational impact on European protected sites outside the National Park, in particular the Plymouth Sound and Estuaries SAC/Tamar Complex SPA?

<b>Matter 6 – Economy</b>
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Whether the Local Plan has been positively prepared and whether it is justified effective and consistent with national policy in relation to its approach to the local economy.

*Issue 1 Delivery of employment*

- Q1. How has employment need been assessed and has it been undertaken in a robust manner?
- Q2. Has the need for employment been translated into a requirement for floorspace and land? How has this been calculated?
- Q3. Does the Plan provide an appropriate mix of employment uses that is supported by robust evidence?
- Q4. Does the policy framework provide an appropriate and justified approach to the retention of existing land and buildings in employment use?
- Q5. Overall, is the strategy for employment aligned with the Plan's indicative housing delivery figure/ requirement figure?

*Issue 2 SP 5.1(2) Non-residential businesses and tourism*

- Q1. Would the policy provide sufficient flexibility, to enable businesses to respond to market conditions, meet the needs of the area and make best use of existing employment sites?
- Q2. Is a modification required, to ensure that the Plan is sound, in light of the recent changes to the UCO?

*Issue 3 SP 5.2(2) Town centres*

- Q1. Is a modification required, to ensure that the Plan is sound, in light of the recent changes to the UCO?
- Q2. Would this policy, in supporting the 'town centre first approach' be likely to stifle small scale employment development adjacent to Local Centres, which is promoted in SP5.1(2)2? Would the size threshold for requiring main town centre uses to follow the sequential test be justified by the evidence?
- Q3. Would the policy effectively manage the impacts of conversion of agricultural buildings to flexible commercial uses in the open countryside?

*Issue 4 SP 5.3(2) Shops and other active uses*

- Q1. What modifications are required to this policy to reflect recent changes in the UCO? In light of these, would the policy approach to generally protect shops, financial and professional services, food, drink and drinking establishments be justified and accord with national policy?

*Issue 5 Policy 5.4(2) Tourist accommodation and SP 5.6(2) Camping and touring caravan sites and Policy 5.5(2) Staff accommodation for serviced accommodation businesses*

- Q1. Is a modification required for soundness to reflect the different impacts of camping pods, shepherd huts and other structures compared to camping and caravan touring sites and to control the impacts of unoccupied stored structures? Should the policy support newer forms of non-permanent tourist accommodation?

*Issue 6 SP 5.7(2) Agriculture, forestry and rural land based enterprise and SP 5.8(2) Farm diversification, SP 5.9 (2) Equestrian development*

- Q1. Would these policies strike the right balance between supporting these businesses whilst conserving and enhancing the natural beauty, wildlife and cultural heritage of the National Park? Would the policies be effective, justified by the evidence and consistent with national policy?



<b>Matter 7 – Minerals and waste</b>
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Whether the Local Plan has been positively prepared and whether it is justified effective and consistent with national policy in relation to its approach to minerals and waste.

*Issue 1 SP 6.1(1) New or extended minerals operations*

- Q1. Is the approach to maximising the use of recycled materials and secondary aggregates consistent with NPPF paragraph 204b?
- Q2. In referring to large scale minerals development and applying criteria for large and small scale minerals development, would the policy and supporting text at paragraph 6.1.4 be consistent with national policy, with regard to 'Major Development' referred to in NPPF paragraph 172?
- Q3. Would the policy be clearly written and unambiguous, so it is evident how a decision maker should react to development proposals?

*Issue 2 SP 6.3(2) Minerals safeguarding*

- Q1. Should the list of safeguarded sites as set out in paragraph 6.1.11 include Lee Moor Quarry clay pits and infrastructure, for soundness?
- Q2. Would the policy be consistent with national policy, clearly written and unambiguous, so it is evident how a decision maker should react to development proposals?

*Issue 3 Policies 6.4(2) and 6.5(2) Waste prevention, disposal and recycling facilities*

- Q1. Would the definition of Major Development within policy 6.4(2) be consistent with other parts of the Plan? In using this definition would it be clear and unambiguous?

*Issue 4 SP 6.6(2) Renewable energy development*

- Q1. Would this policy strike the right balance between promoting renewable energy and protecting the natural beauty, wildlife and cultural heritage of the National Park? Would it be consistent with NPPF paragraph 151 and the 'Major Development' tests in NPPF paragraph 172?

**Matter 8 – Settlement Boundaries***Issue 1 Methodology and application*

- Q1. Are the proposed settlement boundaries appropriate and justified?
- Q2. What methodology was employed to identify them?
- Q3. As the proposed site allocation at Mary Tavy sits adjacent to the settlement boundary, should the settlement boundary be adjusted to include it?
- Q4. What is the justification for the inclusion of a part of the South Hams SAC within the Buckfast settlement boundary?

<b>Matter 9 – Site allocations</b>
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Whether the proposed housing, employment and mixed-use site allocations are justified, effective and consistent with national policy

*Issue 1 Methodology and application*

- Q1. How have the proposed allocations been identified?
- Q2. Do they accord with the Plan's spatial strategy as set out in SP1.4(2) in terms of the overall provision in Local Centres and Rural Settlements?
- Q3. Would the Plan provide for a least 10% of the identified housing need to be provided for on sites no larger than one hectare?
- Q4. How were the site boundaries, areas and dwelling/ other capacities determined? Are the assumptions justified and based on available evidence?
- Q5. How would the proposed allocations provide flexibility in the event that some sites do not come forward?

*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?
- Q2. What is the expected timescale for development? Is it realistic?
- Q3. What is the justification for the affordable housing requirements? How has viability been taken into account? Would this accord with national policy set out in NPPF paragraph 56 in relation to planning obligations?
- 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?
- Q5. Would the detailed wording of each allocation be clear and effective?
- Q6. Overall, are the allocations justified, effective and consistent with national policy?

The Authority is requested to address the above questions Q1-Q6 for each of the proposed allocations. If the housing need in specific settlements would be exceeded by site allocations, please set out a justification. For those sites where representations have been made the Authority is requested to respond to the particular issues raised. In doing this any updated information regarding planning permissions, sites under construction and existing uses should be included. Please also provide comment on the specific issues raised below:

*Proposal 7.4(2) Chuley Road, Ashburton*

- Q1. This allocation provides no indicative capacity due to site constraints. However, the housing topic paper provides an indicative capacity of 45 dwellings for the purposes of housing land supply. Is the approach taken justified?
- Q2. In requiring individual applications to manage flood risk, would the proposal be effective? Why would a strategic approach to managing flood risk for the whole site allocation not be achievable?
- Q3. In light of identified access, flood risk and land ownership constraints would the site be delivered within the Plan period?

*Proposal 7.6(2) Holne Road, Buckfastleigh*

- Q1. In light of policy requirements in relation to affordable housing and impacts on the South Hams SAC, is there robust evidence that this site would be developed within the Plan period?

*Proposal 7.7(2) Lamb Park, Chagford*

- Q1. What is the justification for custom and self-build housing/community led housing?

*Proposal 7.8(2) Crannafords, Chagford*

- Q2. Would the requirement for improved cycle and pedestrian access to Chagford be justified and effective? Is a modification required, to ensure that the Plan is sound, in light of the recent changes to the UCO?

*Proposal 7.11(2) Forder Farm, Moretonhampstead*

- Q1. What is the justification for the indicative dwelling capacity on this site, in light of an extant planning permission for 30 dwellings?

*Princetown Policy 7.13(2)*

- Q1. In the absence of any allocations to deliver new homes, how would the Plan meet identified housing need in this settlement? What evidence is there that windfall and infill would deliver to meet that need?

*Proposals 7.14(2)(a) and 7.15(2)(b) Palstone Lane, South Brent*

- Q1. In light of identified highway constraints would these sites be likely to be developed within the Plan period?

*Proposal 7.21(2) Axminster Carpets, Buckfast*

- Q1. What is the justification for the absence of indicative capacity for commercial uses and residential care elements of this proposal? Would the proposal, as a whole, fall within the definition of Major

Development set out in policy 1.5(2) and if so what would be the implications?

- Q3. Is a modification required to ensure that the level of employment offsets the previous employment use in the interests of soundness? For the same reason, is a modification required, to ensure that the Plan is sound, in light of the recent changes to the UCO?

*Proposal 7.22(2) Warren Rd, Mary Tavy*

- Q1. In light of the acknowledged lack of funding for a school on this site, would the site be likely to be developed within the Plan period and if not would its safeguarding be justified?

*Proposal 7.19(2) Binkham Hill, Yelverton*

- Q1. Would modifications be necessary to ensure requirements for highway and cycle way improvements are effective? Would development of this site give rise to any other infrastructure requirements?

**Matter 10 – Special policy areas**

Whether the proposed Special Policy Areas are justified, effective and consistent with national policy.

*Issue 1 General matters*

- Q1. What is the justification for the Special Policy Area set out in Policy 7.20(2)? Is a modification required, for soundness, to ensure the policy is effective in protecting the historic residential core?
- Q2. Would the wording of Policy 7.24(2) reflect national policy in terms of the heritage balance set out in NPPF paragraph 195-196?

**Matter 11 – Monitoring and whole Plan viability**

Whether the Plan would be viable and deliverable within the Plan period and whether the arrangements for monitoring would be robust and effective.

*Issue 1 Viability*

- Q1. Would new development be able to accommodate the Plan's policy requirements, having regard to viability and is this supported by evidence in the whole Plan viability Assessment (SD90 and 91and 90)?

*Issue 2 Monitoring*

- Q2. Are the monitoring indicators specific and measurable?
- Q3. Are appropriate mechanisms and timescales in place to undertake the required monitoring of the implementation and effectiveness of the Plan and to report on the full breadth of indicators within an Annual Monitoring Report?
- Q4. Do the monitoring indicators on housing allow delivery against annual targets and in terms of five-year supply to be effectively reported?

*R Barrett*

INSPECTOR

12 January 2021