

South Hams District Council

Response to the

Dartmouth Neighbourhood Plan Regulation 16 consultation

April 2022

The Dartmouth Neighbourhood Plan (Reg 15 Version) was submitted to South Hams District Council on 18th February 2022. The Council was satisfied that the submission draft and accompanying documents complied with all the relevant statutory requirements

The plan was publicised in accordance with Regulation 16 of the Neighbourhood Planning (General) Regulations and representations invited between Friday 25th February 2022 and Friday 8th April 2022. South Hams District Council made a full response to the Regulation 14 consultation carried out by the Qualifying Body in respect of the Dartmouth Neighbourhood Plan.

This document sets out South Hams District Council's response to the Regulation 15 version of the plan, focussing on the extent to which it is considered that the current version of the draft plan has responded to comments made at Regulation 14.

Overall, the Council is not satisfied that the Regulation 15 draft neighbourhood plan has taken adequate account of comments made at Regulation 14. As such, areas of concern remain that are detailed below.

Policy/Text	Comments
Policy DNP GE 1 Impact on the South Devon Area of Outstanding Natural Beauty (AONB) Undeveloped Coast and Heritage Coast	<p>The following comments made in the Council's Regulation 14 comments still apply:-</p> <p>1) The Policy repeats requirements set out in the JLP and NPPF. It need not do this.</p>

<p>In addition to National and Development Plan policies and guidance controlling development in and within the setting of the South Devon AONB, Undeveloped Coast and Heritage Coast, development within the designated landscapes must demonstrate, where appropriate due to the size and scale of the development the following; -</p> <p>a) how it maintains and enhances the intrinsic Landscape Character Areas and Types (LCT) of the landscapes affected as set out in the latest Landscape Character Assessment for the South Hams;</p> <p>b) why it cannot be accommodated reasonably outside the Heritage Coast and Undeveloped Coast designation;</p> <p>c) how the natural assets and constraints of a development site including existing trees have been assessed. Substantial harm to or loss of irreplaceable habitats such as ancient woodland and within historic boundary features, walls, hedges, banks and ditches should be wholly exceptional;</p> <p>d) how opportunities for improving public access to and the enjoyment of the coast have been included.</p>	<p>2) The policy applies to development of “size and scale” for which no definition is given. The Policy should be clearer in its intent and application.</p> <p>Criterion a) and c) The LPA’s Local Validation checklist identifies information that must be submitted with planning applications. No justification is given for the additional information required by this Policy.</p> <p>Criterion d) Suggest this applies only where appropriate.</p>
<p>Policy DNP GE 2 Safeguarding the biodiversity and Green Infrastructure throughout the Parish</p> <p>Where appropriate due to the size and scale development proposals should; -</p> <p>a) Include a Green Infrastructure plan to show how the development can improve greenspaces and corridors for people and nature, in the context of the parish and where possible connecting to the green matrix of the plan area and the broader green infrastructure of South Devon. The</p>	<p>As with Policy DNP GE 1, The policy applies to development of “size and scale” for which no definition is given. The Policy should be clearer in its intent and application.</p> <p>Criteria a) and b): The LPA’s Local Validation checklist identifies information that must be submitted with planning applications. No justification is given for the additional information required by this Policy.</p>

<p>individual components of the green matrix illustrated in Map 7, Appendix E1 and wildlife resources included in Appendix E2 should be protected. Opportunities should be sought to improve accessibility, enhance and extend this matrix. The presence and importance of the Greater Horseshoe Bat sustenance zone of the South Hams SAC in the Plan area should be recognised.</p> <p>b) Include a biodiversity action plan which includes details of how the development will achieve a net gain in biodiversity in compliance with national policy requirements.</p> <p>c) Retain on site natural features such as Devon banks, stone walls, steps, hedgerows, protecting existing mature trees beyond those protected within a Tree Preservation Order or the Conservation Area.</p> <p>d) Where possible replace any alien and foreign species of trees considered invasive or harmful with indigenous species.</p> <p>e) Promote where reasonable opportunities for improving access to heritage assets and green space through new walking routes.</p> <p>f) An increase in paved areas resulting in loss of habitats and increased flood risk is generally not supported.</p>	<p>Criterion c) Suggest this applies only where appropriate.</p> <p>Criteria f) this criteria lacks clarity. Suggest “Minimise paved areas.....”.</p>
<p>Policy DNP GE 3 Local Green Spaces</p> <p>The following green open spaces within the plan area are designated as Local Green Space.</p> <p>These areas illustrated in Map 8, 8a and detailed in Green Space, Environment and Community Table 3 https://dartmouthplan.org/wp-content/uploads/2021/12/green-spaces-table-3.pdf are small tracts of land, meet the criteria described in NPPF paragraph 102. All development within or in the vicinity of the LGS must respect and not compromise this designation;-</p>	<p>The Council, as landowner of the following sites maintains its objection as set out below:-</p> <p>LGS 14 – Manor Gardens</p> <p>The Council would prefer that options for the future use of this area, which might best serve the Council and the community, be unconstrained by a LGS designation. Whilst the uses proposed are recreational in nature it is considered such a designation could undermine the very real opportunities to increase community provision.</p>

<p> LGS1 Coronation Park LGS2 Royal Avenue Gardens LGS3 Community Greenhouse and adjacent gardens LGS4 Green spaces and shelter beside Dartmouth Castle Wall (excluding Hawley's Fortalice wall) LGS5 Castle Estate LGS6 Jawbones Allotments LGS7 Milton Lane Allotments LGS8 Longcross cemetery LGS9 Community Orchard LGS10 Warfleet Creek, Lime Kilns, Quay and Slip. LGS11 Sandquay wood LGS12 Norton Wood LGS13 Norton Field LGS14 Manor Gardens and viewing platform LGS15 Crosby Meadow LGS16 Jawbones Beacon Park LGS 17 Bowling Green LGS 18 Play area at the junction of Victoria Road and Vicarage Hill </p>	<p>LGS 13-Norton Field The Council would prefer options for the future use of this area, which might best serve the Council and the community, be unconstrained by a LGS designation. Whilst the uses proposed are recreational in nature it is considered such a designation could undermine the very real opportunities to increase community provision.</p> <p>LGS 17 – Bowling Green There has been a dialogue with the Bowling Club for some time about the relocation of the club to Norton Playing Fields to provide a modern, purpose built Bowls facility with access to parking. Such a proposal can only be realised by redevelopment of the existing Bowling Green site to generate income that would support the relocation proposal. LGS designation would prevent such a proposal which is intended to benefit the Bowling Club and enable the provision of much needed local housing.</p> <p>Whilst the Council does not currently have specific development plans in place for the Bowling Club site, the Council are keen to ensure options for this site remain open. The Council is clearly mindful of the housing needs in Dartmouth and would promote a scheme aimed at meeting local needs whilst ensuring the needs of the Bowling Club were met elsewhere</p> <p>Furthermore, the Council would contend that the Bowling Green site does not fall into the category of Local Green Space as defined by the NPPF– the bowling surface is an artificial carpet, and not grass. Whilst a recreational facility, the facility itself does not meet the spirit nor letter of NPPF Policy.</p> <p>In terms of LGS 16 Jawbones Beacon Park the Council are concerned the extent of this designation, as agreed with the Dartmouth NPG, is not reflected on Map 8. Appendix 1, attached below to this document, illustrates what the Council consider to be the agreed boundary of this designation.</p>
<p>Policy DNP GE4 Allotments The allotments at Milton Lane and Jawbones will be retained. The importance of Milton Lane and Jawbones allotments as assets to the community, and local food</p>	<p>The designation of each of these allotment areas as LGS could hamper or prevent future improvements to these facilities.</p>

<p>production is recognised by their designation in this plan as Local Green Spaces. The re-purposing or encroachment on these existing sites will not be supported.</p> <p>Development that includes provision for community allotments will be supported.</p>	
<p>Policy DNP GE5 Maintaining the character and the environmental quality of the river</p> <p>The natural characteristics of the Dart estuary should be retained in any development along the waterside. For any future waterside development consideration should be given to respect the following criteria; -</p> <p>a) All existing wooded areas visible from the river, particularly those running to the water's edge and/or where they start at the visible natural ridge line should be retained;</p> <p>b) Any adverse impact on the health and quality of the river from development must be mitigated against; this includes impact from noise, pollution, such as sewage and litter;</p> <p>c) There should be an overall positive impact on the wildlife designations along the river edge as indicated in the Green Matrix strategy (Map7) and the Wildlife Resource Map for the Plan Area (Appendix E2) Designations that must be safeguarded include; Special Areas of Conservation, County Wildlife Sites, Strategic Nature Areas and Other Sites of Wildlife Interest.</p>	<p>Criterion c: The documentation referred to are material considerations so need not be mentioned in the Policy. Suggest they are referenced in the justification.</p>
<p>Policy DNP GE 6 Locally Important Views</p> <p>Development within the foreground or middle ground of the views shown in Maps 9a and b , and Appendix F https://dartmouthplan.org/wp-content/uploads/2022/01/Appendix-F-1.pdf should not harm and should, where possible, contribute positively to the existing composition of natural and built elements.</p> <p>Development should not be overly intrusive, unsightly or</p>	<p>No comment other than many views have been identified. It may be worthwhile considering a reduction identifying key views only. The identification of so many views could dilute the intent of this Policy.</p>

<p>prominent to the detriment of the view as a whole, or to the landmarks within the view.</p>	
<p>Policy DNP GE7 Actions to mitigate against climate change and carbon reduction This Plan supports the objectives contained in the Devon Climate Change Strategy (September 2018) and the emerging Devon Carbon Plan. All new development should;-</p> <p>a) Assess and monitor the carbon footprint of the development, its impact on the local community, infrastructure and economy including tourism, employment, transport, farming. Proposals should assess its own operations to enable it to reduce carbon in the development and future operation.</p> <p>b) Make the town and employment activities more innovative, environmentally friendly and responsible, carbon neutral and sustainable. This applies to all businesses in the Plan area but in particular the most prevalent sectors such as tourist accommodation, river activities, ferry companies, the marina, hospitality, and seasonal events.</p> <p>c) Include composting and recycling facilities or access to a local community composting facility providing suitable management procedures are in place.</p>	<p>Suggest this Policy is more clearly focussed. Is it appropriate that it applies to all development.</p> <p>First paragraph last sentence would better read: “Where appropriate all new development are encouraged to:-“</p> <p>Criterion a) is difficult to understand and it is suggested would difficult to apply and enforce.</p>
<p>Policy DNP GE 8 Promotion of tree planting All appropriate development where it is demonstrated that the proposals achieve an increase in biodiversity and carbon capture through additional tree and other planting and appropriate land management will be supported. Development that damages or results in the loss of ancient trees or trees of good arboricultural and amenity value will not normally be permitted. Proposals should be designed to retain ancient trees or trees of arboricultural and amenity</p>	

<p>value. Proposals should be accompanied by evidence that establishes the health and longevity of any affected trees.</p>	<p>Second paragraph, third sentence: The Local Validation List determines information that accompanies a planning application this need not be repeated here.</p>
<p>Policy DNP GE 9, Encouraging renewable energy The development of small scale renewable energy generation where supported by the community will be encouraged, this includes; -</p> <ul style="list-style-type: none"> • Biomass; where material is sourced from the coppicing local woodland and hedgerows; • Hydro power generation from local watercourses; • Technologies making use of the River Dart; • Small scale solar power when roof mounted on domestic, employment and agricultural buildings; • Ground source and air source heat pumps; • Community heating and combined heat and power. <p>Wind turbines and large-scale ground mounted solar power are not considered appropriate methods of generation within the parish.</p> <p>Where appropriate proposals should demonstrate that they will not affect the integrity of the Statutory and Non-Statutory wildlife sites within the parish and will have no detrimental impacts on South Devon AONB. Where necessary proposals must be supported by protected species surveys and the identification of any necessary mitigation measures.</p> <p>For the purposes of this policy small scale is defined as less than 50Kwp.</p> <p>.</p>	<p>First paragraph: Suggest “where supported by the community” is removed since “local support” is not a prerequisite based upon a planning consideration.</p> <p>Penultimate paragraph, second sentence: The Local List will determine the information that should accompany a planning application no need to repeat here.</p>
<p>Policy DNP GE 10 Prevention of light pollution; Development should not detract from the unlit environment of Dartmouth and surrounding countryside and should minimise their impact on the night sky. The impacts of a development</p>	<p>This Policy is overcomplicated and, in some instances seeks to control matters which lie outside planning control or would be difficult to enforce.</p>

<p>on dark skies and the proposed colour rendering and frequencies must be considered at application stage following generally the guidance of the Institute of Lighting Professionals and in particular on the impact of bats on lighting schemes (guidance note 8, Bats and Artificial Lighting). The following will not be supported; -</p> <p>a) The use of a high proportion of glass in walls and roofs without consideration of the impact on the environment when internally lit.</p> <p>b) Security lighting, outside lighting, and floodlighting that is not designed to minimize their impact on the night sky with lighting deflected downwards and switched off after midnight.</p>	
<p>Policy DNP GE 11 Prevention of Flooding; Development within flood risk areas must be avoided unless no alternative sites are available.</p> <p>Where there is no alternative to developing within a flood risk area, new development must be designed to be safe from flooding, not increase flood risk elsewhere and, where possible, reduce flood risk overall. Proposals should address the latest national guidance on meeting the challenge of climate change through flooding and coastal change. Where necessary proposals must demonstrate that the impact on the existing foul and surface water system has been assessed and includes details of on-site mitigation if required.</p> <p>Any proposals in the proximity of the Environment Agency flood risk areas illustrated in map 10, and subsequent revisions to the Flood Map, and highlighted in their flood risk modelling should have due regard to historic flooding incidents and the reports of these prepared on behalf of Dartmouth Town Council, included as Appendix O.</p>	<p>No comment.</p> <p>Map 10 Flood Risk Map: As indicated in the Council's Reg 14 comments the EA Flood Risk Maps are regularly updated. As such this Map could be superseded during the course of the NP. Suggest it is removed and a link to the EA Flood Risk Maps is provided in the justification to the Policy.</p>

<p>There should be no adverse impact on local streams, leats, flood channels and neighbouring properties.</p> <p>The design of any flood defences should be carried out in consultation with the community and appropriate to the historic and natural settings of the plan area. Materials used should be in accordance with the policies of this plan and the planning guidance of the South Devon AONB.</p>	
<p>.Policy DNP GE12. Settlement Boundary and the avoidance of coalescence;</p> <p>A settlement boundary for Dartmouth is designated in this Plan and illustrated in Map 11.</p> <p>Development inside the settlement boundary is acceptable in principle subject to National Policy and Guidance and the Development Plan.</p> <p>Development proposals outside the settlement boundary will be treated as development in the open countryside. To protect the character and appearance of Dartmouth, development which erodes the visual separation of the settlement will not be permitted.</p>	<p>Final Paragraph: whilst the justification mentions the issue of potential coalescence it does not specify geographically where this is an issue. It would be helpful if this were addressed and the policy and justification wording amended accordingly.</p>
<p>Policy DNP EC 1 Tourism related employment and retention of hotels</p> <p>The change of use or redevelopment of a hotel and associated hospitality services to non-hotel use will generally not be supported. Such a change will only be supported provided that;-</p> <p>a) The proposed use would be compatible with the existing building and its surroundings and setting within the Dartmouth Conservation Area and South Devon AONB;</p> <p>b) No loss of hotel accommodation in the Parish or detriment to local employment will result;</p>	<p>Whilst supporting the general thrust of this Policy the Council are concerned that the wording lacks clarity and in some instances appears counterproductive to its aim as follows:-</p> <p>Criterion a) This appears to give licence to “acceptable” changes of use.</p> <p>Criterion b) If the use is proven unviable then the loss of accommodation and jobs may inevitably result. This criteria appears to prevent a change of use in these circumstances even if unviability is proven.</p>

<p>c) Demand for the hotel accommodation no longer exists. Where the loss of a hotel or tourism related site is justified as no longer viable the applicant must demonstrate through an independent assessment that the vacant unit has been actively marketed and offered at a reasonable sale price (comparable with valuations achieved elsewhere in the District) for a minimum period of 2 years.</p> <p>Development may include; -</p> <p>d) Change of use to residential care or extra care which supports the Plan objectives to both provide employment and specialist affordable housing for the elderly.</p>	<p>Criterion c) The lack of demand for hotel accommodation will be apparent, at least in part, from the viability assessment so need not be stated here.</p> <p>Criterion d) This criterion appears to counter the principle this Policy is seeking to set.</p> <p>Suggest a final paragraph sets out the parameters for the viability assessment and the criteria are dispensed with. Suggest this clearly identifies the use for which the property is marketed based on criteria c).</p>
<p>Policy DNP EC 2 Promotion of innovative tourism businesses</p> <p>This plan supports development that includes new, innovative and sustainable tourism related uses. Activities include but are not limited to; -</p> <p>a) Green, low carbon and sustainable tourism</p> <p>b) River and water based leisure activity;</p> <p>c) The research and development of technologies that support the marine leisure industry;</p> <p>d) Activities that link to the SW Coastal Path and cycle routes;</p> <p>e) Cycle and electric cycle hire supporting sustainable tourism and transport.</p> <p>The proposed uses should be compatible with their surroundings and setting within the town, river, countryside and conserve and enhance the South Devon AONB.</p>	<p>No comment.</p>
<p>Policy DNP EC3 Additional employment land and safeguarding of existing employment uses.</p> <p>a) Retention of existing employment sites is supported unless other suitable sites are found that are more compatible with the existing transport infrastructure and surrounding residential neighbourhoods. Changes of use</p>	<p>a) This is unclear in its intent and undermines JLP Policy DEV14. The first sentence of Policy DNP EC3 opens by stating that, ‘Retention of existing employment sites is supported’, but weakens this by stating ‘unless other suitable sites are found that are more compatible with...’ This introduces ambiguity into the policy position, and opens the scope for a ‘test (‘more compatible’) that would be very difficult to assess. The final sentence of this clause then appears to rule out this scope by stating, ‘Changes of use</p>

<p>resulting in the loss of employment land will generally not be supported.</p> <p>b) Upgrading, intensification and enhancement of existing employment sites with poor environments and access is supported. Provision of additional storage space on existing sites will be supported.</p> <p>c) In order to consider improvements on a comprehensive basis rather than piecemeal a Development Brief and masterplan for their regeneration should be prepared in consultation with the Town Council. A model brief is included in the Appendix P1. All development should respect and respond to the agreed brief.</p> <p>d) Where other suitable sites are identified, and the loss of an existing employment related site is considered justified as no longer viable and a change of use to non-employment use is proposed the applicant must demonstrate through an independent assessment that vacant units has been actively marketed and offered at a reasonable sale price (comparable with valuations achieved elsewhere in the District) for a minimum period of 2 years.</p>	<p><i>resulting in the loss of employment land to the Plan area will not be supported.'</i></p> <p>b) Second sentence: This is open ended and perhaps misplaced in this section of the policy. Suggest it is dealt with separately with identified criteria to test the suitability of the site for storage use.</p> <p>c) It is assumed this links to b) and applies to <i>“Upgrading, intensification and enhancement of existing employment sites with poor environments”</i>. It is considered the requirements sought are unduly onerous.</p> <p>d) This policy clarify what is meant by <i>“other suitable sites”</i></p> <p>It is suggested that JLP Policy DEV14, linked to Paragraph 5.9 to 5.13 of the JLP Supplementary Document 2020, set out the exceptional circumstances where change of use may be acceptable and the requirements to prove such a case. It is considered the wording and intent of this Policy undermine the exceptional circumstances JLP Policy DEV14 seeks to apply.</p>
<p>Policy DNP EC4 Support for the primary and secondary shopping area of Dartmouth</p> <p>All development in the primary and secondary Shopping Areas illustrated in Map 12 should retain business and retail uses (User Class E) including restaurants and cafes. With the exception of those granted under Permitted Development other changes of use that compromises the primary and secondary shopping areas will not be supported.</p> <p>Subdivision of existing retail and business units will generally be supported.</p> <p>At upper levels of the Primary and Secondary Shopping Area this plan supports development of flats over shops in vacant or under-used accommodation. Adequate parking must be provided in accordance with Plan Policy DNP ST2. Ancillary uses will be permitted providing they do not</p>	<p>Second Paragraph, second sentence: The provision of adequate car parking is likely not possible in a town centre location which could lead to upper floors remaining vacant.</p>

<p>undermine the shopping and historic characteristics of the Conservation Area and the Primary Shopping Area. The amenity of existing uses should not be compromised with new development through noise, smells and congestion on pavements.</p> <p>Where the loss of a retail or business related use is justified as no longer viable the applicant must demonstrate through an independent assessment that the vacant unit has been actively marketed and offered at a reasonable sale price (comparable with valuations achieved elsewhere in the District) for a minimum period of 2 years.</p>	<p>Second Paragraph, third sentence: The term “ancillary use” lacks the clarity required by the decision maker.</p>
<p>Policy DNP EC 5 Business start-ups and mixed use employment including living over the shop, and live work. This plan supports the development of business start-up units within new and existing employment areas through the development of Brownfield sites and the upgrading of existing sites and the combination of employment and living accommodation, providing:-</p> <ul style="list-style-type: none"> a) The development is in keeping with the scale of the surrounding residential area and other businesses; b) The new use will not have any detrimental impact on local residential amenities; c) Significant amounts of traffic and a need for parking will not be generated that cannot be adequately catered for by the existing infrastructure locally; d) The proposal will not have a harmful visual impact on the town or the adjacent open countryside. 	<p>No comment.</p>
<p>Policy DNP EC 6 Employment uses in the countryside</p> <p>The conversion of redundant agricultural buildings, their expansion or development of new buildings for small-scale employment uses will be acceptable in principle within the countryside provided that; -</p>	<p>This Policy largely repeats JLP Policy DEV 15.</p> <p>Final paragraph: This paragraph adds requirement that exceed those identified in JLP Policy DEV 15. No justification is given for these additional requirements as such this paragraph should be removed.</p>

<p>a) The scale of employment use is appropriate to the accessibility of the site by public transport, cycling and standard of local highways;</p> <p>b) Proposals respect the character and qualities of the landscape and environment as outlined in Policy DNP GE1 and include effective mitigation measures to avoid adverse effects or minimise them to acceptable levels.</p> <p>An existing building is considered redundant if it has remained vacant for a period exceeding two years. Evidence in the form of dated photographs will be required to confirm the period that the building has remained vacant.</p>	
<p>Policy DNP ST1: Footpaths and cycleways</p> <p>The existing PRoW and other access routes to the natural environment of Dartmouth should be protected and enhanced. All new development in the Plan area should link to a safe path network that connects the Parish, surrounding settlements, and the SW Coast Path where feasible. Where appropriate, opportunities to improve and extend the existing network will be sought as part of any development proposals. New and existing footpaths should:</p> <p>a) where appropriate and excluding the SW Coast Path promote their use as cycleways;</p> <p>b) in consultation with landowners introduce and help establish new routes which include completing the footpath links between Stoke Fleming and Dartmouth on the A379 and linking safely Dartmouth Academy, Jawbones and Crowthers Hill. The route is illustrated on Map 13.</p> <p>c) have durable surfacing and effective drainage;</p> <p>d) be easy to navigate with discreet signage;</p> <p>e) be accessible to those with special needs where feasible;</p> <p>f) facilitate the use of electric bikes with charging points at location agreed with Devon County Council;</p> <p>g) include improved footbridges and stiles where required.</p>	<p>Whilst the Councils supports the provision of footpaths and cycleways there are concerns regarding certain aspects of this Policy:-</p> <p>1.) The control, upkeep and use of the existing and future network of footpaths and bridleways is covered by legislation separate from that relating to planning.</p> <p>Criteria b) Since this is a proposal, the new route(s) proposed should be shown on the Proposals Map. Suggest that routes that are identified are made clearer than they appear on Map 13. Have the owners, potentially affected by these proposals, been individually and formally consulted. The Statement of Consultation records (Para 4.2) that all affected landowners were consulted the results of that consultation, in relation to this proposal, is not readily apparent, Furthermore there is no clear indication of how the implementation of this criteria can be linked to development proposals that may be expected to contribute towards its implementation.</p>

<p>No new footpath, bridleway or multi access route should have a detrimental impact on wildlife habitats as outlined in the Wildlife Resource Map (Appendix E2) and any future revision.</p> <p>The existing footpath network is shown in Map 13.</p>	
<p>Policy DNP ST2: Car Parking and Coach Parking</p> <p>a) Existing public car parking should be managed to support the functional sustainability of the town and follow the recommendations of the DCC Transport Study (Appendices Q1 and Q2) and the emerging Transport Study. Where new development has impacts on public car parking these should be neutral or positive in terms of this requirement.</p> <p>b) No development will be supported that causes the significant loss of public car parking. Should spaces be relocated there should be no material reduction in their convenience to the town and local centres unless it can be demonstrated that the parking is no longer needed due to changes in vehicle use.</p> <p>c) All proposals which are likely to generate an increase in on-street car, trailer and boat parking will be resisted, unless designed as part of an overall parking strategy within a development.</p> <p>d) New residential development including sheltered housing must ensure there is no increase in on-street car parking.</p> <p>e) Where achievable the indicative on-site parking standards set out in the JLP SPD (2020) should be met;</p> <p>1 bedroom 1 space plus 1 space per 3 dwellings for visitors;</p> <p>2 bedrooms 2 spaces;</p> <p>3 or more bedrooms 3 spaces.</p> <p>This standard can be provided off site if such provision would be of greater overall benefit to the functional sustainability of the town and the development in question,</p>	<p>a) There are concerns (registered by the Council in its response to the Regulation 14 consultation) that the DCC Transport Study is somewhat dated to introduce as a material consideration. Attention was drawn by the Council to the fact that the Transport Study included in Appendix Q is marked “draft”. Furthermore, the second sentence mentions an “emerging Transport Study” which is referred to in the final sentence of the justification, yet no explanation of this Study, nor its status, is provided.</p> <p>b) is very onerous and could stifle supportable development (see comments on Policy DNP EC4).</p> <p>c) lacks clarity: suggest it is better put that such proposals are accompanied by adequate on site parking provision.</p> <p>d) there is no need to repeat JLP SPD requirements.</p>

<p>and that off-site provision can be guaranteed as permanently available to the development.</p> <p>f) Parking and charging facilities for electric vehicles, car club/pool vehicles and autonomous vehicles should take priority over petrol and diesel cars. Where new housing development can demonstrate a reduced need for parking due to the utilisation of car club/pool vehicles and autonomous vehicles this will be supported, provided that there are measures in place to support their use.</p> <p>g) Provision for cycle, ebike, scooter, and motorcycle storage, parking and EV charging should be provided wherever appropriate.</p> <p>h) New car parking proposals which adversely affect the setting of a development and surrounding landscape features will be discouraged.</p> <p>i) The area shaded in Map 14 should be safeguarded for coach and bus parking. No other use will be supported unless other suitable locations for coach and bus parking can be found.</p>	<p>f) the NP provides no evidence that the management implications have been discussed with the Council nor other providers (see Councils' Regulation 14 comments on this Policy). Second sentence; Should this be a separate criteria. Furthermore, should the final part of this sentence read..."there are measures in place to enforce their use."</p> <p>j) The Council requested (in its Regulation 14 consultation response) that owners of other land identified on Map14 be individually and formally consulted. The Statement of Consultation records (Para 4.2) that all landowners were consulted the result of that consultation, in relation to this proposal, is not readily apparent.</p>
<p>DNP Inf 1 Broadband Infrastructure</p> <p>This Plan supports the provision on site infrastructure for the installation of, and allow the future upgrade and maintenance of, fibre optic broadband technology.</p> <p>a) All development is required to submit a connectivity statement to set out the proposed broadband provision. The statement shall include which broadband supplier(s) can provide full fibre or fixed wireless coverage to the development to provide gigabit capable broadband provision.</p> <p>b) All developments must be served with an appropriate open access fibre optic infrastructure to enable high speed and reliable broadband connection to enable high speed and reliable broadband connection in accordance with national and local objectives</p>	<p>No comment</p>

<p>to increase coverage unless there is evidence which demonstrates that providing the required infrastructure is not feasible or economically viable.</p> <p>c) Installed infrastructure should allow all premises that form part of the approved development to access superfast or better broadband prior to occupancy.</p> <p>d) The creation of a building to act as a fibre hub to enable fibre connections within the area will be supported.</p>	
<p>Policy DNP TE1–Subdivision of existing plots.</p> <p>The subdivision of existing plots will only be supported where; -</p> <p>a) There is no loss to the character or environmental quality of the surroundings including the Conservation Area and South Devon AONB;</p> <p>b) The site is serviced by a suitable existing highway on one or more boundaries;</p> <p>c) The proposed plot sizes and dwelling sizes are in keeping with other building plots and dwelling sizes in the surrounding area;</p> <p>d) The amenity of adjoining properties is not compromised;</p> <p>e) Adequate amenity space provision is made creating useable private garden space for both the existing and proposed dwellings;</p> <p>f) The existing front building line, where appropriate, is maintained;</p> <p>g) There is adequate space for off street parking as outlined in Policy DNP ST2.</p> <p>h) The increase in hard surfaces and resultant surface water run-off is mitigated on-site and does not exacerbate habitat loss and flooding risks.</p>	<p>No comment.</p>
<p>Policy DNP TE2: Design Quality throughout the Parish</p> <p>Development proposals in Dartmouth Parish should demonstrate high quality design and will be supported where; -</p>	

<p>a) The design is locally distinctive, reflecting the appearance and character of the area in which the development is to be located. Innovative contemporary design solutions will be supported providing they do not have a detrimental effect on the overall appearance and character of the area.</p> <p>b) The height, scale and density of development reflects the existing grain, height, density and pattern of development in the surrounding area. The design should be in keeping with the site and its setting and respect the scale, character and siting of existing and surrounding buildings.</p> <p>c) Strategically important, sensitive and prominent schemes of all scales should be considered at an independent, bespoke Design Review Panel, such an approach is outlined in JLP SPD 2020. This is of particular importance where proposals impact on the South Devon AONB, Conservation Area and heritage assets.</p> <p>d) The external materials used should be locally distinctive, natural and where possible sourced within South Devon;</p> <p>e) Building setbacks reflect adjoining buildings;</p> <p>f) They incorporate the principles of sustainable and low carbon design as defined by this Plan and Development Plan Policy Dev 32;</p> <p>g) It has regard to the requirements of CPtED and ‘Secured by Design’ to minimise the likelihood and fear of crime and acts of anti-social and unacceptable behaviour and community conflict in the built environment;</p> <p>h) It reduces the dependence on the private car by supporting and connecting directly, where achievable to other more sustainable modes such as walking, cycling and public transport;</p> <p>i) It retains and protects, wherever possible existing trees, verges, stone walls and hedges in situ. Any lost trees or hedges should be replaced elsewhere on site. Any wall affected should be reinstated;</p> <p>j) It does not exacerbate flooding risks;</p>	<p>Criteria c) and f): As indicated in the Council’s Regulation 14 comments there is no need to repeat JLP Policy</p> <p>Criteria d) the requirement for “natural” materials is unduly restrictive.</p> <p>Criterion e) Suggest “Where appropriate” opens this criteria.</p> <p>Criterion f) This simply repeats JLP Policy.</p> <p>Criteria i): last sentence: Suggest replacement of lost trees, hedges and of any wall is required only where appropriate.</p>
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<p>k) Existing footpaths or public rights of way must be retained, or acceptable diversions agreed.</p> <p>l) There is a safe means of access to the site, that does not result in the unacceptable loss of natural features, or the need to provide excessive widening of local roads.</p> <p>m) Adequate off street car parking is provided;</p> <p>n) The infrastructure needs of the development can be put in place prior to the commencement of the main development.</p>	<p>Criteria k) is unnecessary since PROW legislation covers this issue.</p> <p>Criterion m) This would be difficult to require or enforce.</p> <p>Criteria n) This is not always possible. DM processes should ensure protection of amenity etc during and following implementation</p>
<p>Policy DNP TE3 Safeguarding Designated and Non-Designated heritage assets and the conservation area of Dartmouth</p> <p>All proposals in the Dartmouth conservation area and in the vicinity of Designated and Non-Designated Heritage Assets must comply fully with National planning policy and the Development Plan relating to the Historic Environment and;-</p> <p>a) Respect and enhance the Dartmouth Conservation Area and make a positive contribution to the heritage assets and their setting. Have regard to the Dartmouth Conservation Area Appraisal January 2013 including the four extensions to the area. All proposals must give due regard to one of the ten character areas listed below within which the proposal sits. The prevalent traditional materials, finishes and typical building forms outlined in the appraisal should also be respected.</p> <p>b) Give due regard to the asset and demonstrate an awareness of the Devon Historic Coastal and Market Towns survey (DHCMTS) and the Historic Urban Character Areas (HUCA) for Dartmouth produced by Devon County Council and English Heritage which is included as Appendix J3. Due consideration should be given to the historic character of the area within which a proposal sits.</p> <p>c) Where relevant, include design features such as setbacks, stone or render walls and roof details that reflect the</p>	<p>This Policy largely repeats National and Local Policy.</p> <p>Criterion b) reference to the various documents which supports the content of this Policy is better placed in the justification of this Policy.</p> <p>Criteria c) This is applicable to the Conservation Area. Suggest it will not be applicable in all instances “in the vicinity of Designated and Non Designated Assets” as required in the opening sentence of this Policy.</p>

<p>character and appearance of the surrounding buildings. For extensions, new doors, windows and roofing materials should be of a similar appearance to those used in the construction of the exterior of the original building.</p> <p>d) Proposals that directly or indirectly affect the significance of Designated Heritage Assets included in Appendix J2 and the following Non-Designated Heritage assets and described in Appendix J1 https://dartmouthplan.org/wp-content/uploads/2021/07/J1-Local-Non-Designated-Heritage-Assets.pdf and illustrated in Map 15 should be judged according to the scale of any harm or loss and the significance of the asset to the parish. Heritage assets that should inform development include archaeological features and historic field boundaries.</p> <p>LHA1 Telephone Box, Victoria Road LHA2 Dartmouth Lower Ferry Landing Slip LHA3 Dartmouth Visitor Centre LHA4 Pony hoops, Crowthers Hill LHA5 Former Norton Heliport Control Tower LHA6 Water tower, Jawbones Hill LHA7 The Armada Memorial Beacon, Jawbones Hill LHA8 Crosby Meadow LHA9 Historic walls of Dartmouth in various locations (see Map 15) LHA10 Coombe Recreation Ground, Coronation Park LHA11 Dartmouth Cottage Hospital</p>	<p>Criterion d) The weight afforded to the consideration of Designated Assets, differs from that afforded to Non Designated Assets. The Policy does not distinguish between the two.</p>
<p>Policy DNP TE 4 ; Respect, protection and enhancement of civic spaces</p> <p>The following spaces illustrated in map 16 and Appendix R1 are identified as civic spaces within Dartmouth; -</p> <p>CS1 Rue de Courseulles Sur Mer/ Coronation Park Riverside CS2 Flavel Place / The Quay CS3 Bottom of Brown’s Hill / Foss Street</p>	<p>The Council is content with this Policy as it relates to property owned by the Council (CS1, CS10 and CS11).The Council requested (in its Regulation 14 consultation response) that owners of other land identified in this Policy be individually and formally consulted. The Statement of Consultation records (Para 4.2) that all landowners were consulted the result of that consultation, in relation to these proposals, is not readily apparent.</p>

<p>CS4 Foss Street</p> <p>CS5 Market Square</p> <p>CS6 Anzac Street</p> <p>CS7 St. Saviour's Church (areas to the North, West and South sides)</p> <p>CS8 The Quay/Boatfloat</p> <p>CS9 Pillory Square (Higher Street/ Smith Street)</p> <p>CS10 South Embankment</p> <p>CS11 Bayards Cove/ Coles Court</p> <p>All development in the vicinity of these civic spaces should where appropriate; -</p> <p>a) Respect, protect and enhance the physical qualities of the space expressed in the Conservation Area appraisal 2013 and the Historic Urban Character areas of the Devon Historic Coastal and Market Towns Survey for Dartmouth 2016.</p> <p>b) Support community uses in the space, which can include but not limited to;-</p> <ul style="list-style-type: none">• External seating areas;• Shared surfaces for vehicles and pedestrians;• Pedestrian priority;• Improved public realm including soft landscaping, street furniture, durable and sustainable paving surfaces;• Public art. <p>c) Facilitate greater economic activity in the spaces through external seating, events, dining and temporary 'pop up' uses.</p> <p>d) Support active street frontages to attract social interaction and facilitate natural surveillance and the prevention of crime.</p> <p>e) Facilitate clear, safe and legible public routes.</p> <p>f) Support pedestrianisation on a temporary or permanent basis as and when appropriate.</p> <p>g) Facilitate litter and recycling facilities within the spaces.</p>	
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<p>h) Any loss of car parking spaces within the civic spaces should be re-provided elsewhere within the town and respect the provisions of Policy DNP ST2.</p> <p>i) Discourage activities that risk causing public nuisance such as noise pollution.</p> <p>The plan also supports the introduction of new civic spaces within new residential areas that should also respect the above qualities.</p>	
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Policy. DNP TE5 Brownfield first

This Plan promotes the redevelopment of previously developed land or 'brownfield'-first strategy before greenfield sites. All proposals must demonstrate conformity with other policies of this Plan with respect to the protection of the natural and historic environment.

This approach will minimise encroachment on the countryside and AONB unless there is proven demand that cannot be met by the brownfield-first approach. The brownfield sites considered suitable for long term re-development as and when there is landowner support and they become available include existing builders' merchants, former health facilities, post office, carparks located within the urban area of Dartmouth. Within the lifetime of the Neighbourhood Plan such sites may become redundant or would benefit in the long term from

intensification of existing employment sites and more effective use of land or change of use to C2 Residential Institutions C3 Housing or mixed use (C3 Housing and E Commercial, Business and Service.)

As stated in policy DNP EC3 changes of use resulting in the loss of employment land to the plan area will not be supported.

A schedule of sites that the community may look favourably on for intensification or redevelopment with a plan locating these and suggested uses are included as Appendix R2 and R3.

The conversion of existing buildings are also subject to the other policies of this plan. Priority will be given to new uses that provide maximum community benefit and are appropriate for the site in terms of accessibility and minimum traffic generation.

In order to consider development of brownfield and existing buildings is undertaken on a comprehensive basis a Development Brief should be prepared in advance of a

First Paragraph, opening three sentences: It is unclear how a developer would be able to demonstrate that there are no suitable brownfield sites available before proposing development on greenfield land as a part of a planning application as suggested within the policy.

General comments on Policy DNP TE5

As commented previously, the principle of support for brownfield development accords with Policy SPT1 of the JLP. However the wording of this policy is convoluted, lacks clarity and appears at odds with the NPPF, the JLP and Policy DNP EC3. In particular, the Policy refers to named viable and active employment sites, none of which have been subject of formal site assessment, by reference to Appendices B14 and B36. While the Policy does refer to avoidance of the loss of employment uses it details local employment types and identifies specific sites that theoretically could, given the terms of the Policy, become available for redevelopment. As such, the Policy appears to do nothing more than promote the redevelopment of these sites. The wording has the potential to encourage speculative applications and to encourage landowners/purchasers to consider more profitable land uses at these locations thus undermining the existing uses, many of which enhance the sustainability and mixed use nature of Dartmouth. This approach is not in accordance with the strategy of the JLP which seeks to support business growth and employment opportunities (SPT1, DEV14) and prioritises our main towns as a location for employment and services (TTV1). Furthermore the promotion, as it appears, of the loss of employment sites to residential use does not accord with the general principals, set by the NPPF, which supports the retention of sustainable uses.

<p>planning application in consultation with the Town Council. A model brief is included in the Appendix P2 All development should respect and respond to the agreed brief.</p> <p>Re-development of brownfield sites should be subject to a comprehensive survey of existing heritage assets and must avoid harm to these assets and protect and enhance the historic environment as set out in national and local policy. Developers should submit sufficient information to address flood risk to and from development sites. Development proposals within Flood Zones 2 and 3 will only be acceptable if they can satisfy the flood risk Sequential Test. The Exception Test may also need to be applied for certain uses. As a minimum, as well as being safe from flooding over its lifetime, development on such sites must also contribute to reducing the overall flood risk to the town. All detrimental water impacts of any brownfield site on the river environment through surface water run off during construction and operation must be fully assessed prior to a planning application for re-development.</p>	
<p>Policy DNP H1 - Market Housing</p> <p>The principle of new market housing on infill sites is supported within the settlement boundary. In addition, market housing forming part of an exception site as set out in Policy DNP H2 where it is required to cross subsidise the affordable housing scheme will be supported. All development should meet the following requirements;-</p> <p>a) The housing should respond to local housing needs in terms of type, size and tenure.</p> <p>b) Consideration should be given to provision of places for housing for the increasing number of older people in the parish in the form of market sale sheltered, specialist accommodation, extra care, or assisted living housing. By</p>	<p>First paragraph: This repeats what is stated in DNP GE 12 and JLP Policy.</p>

<p>further consideration of older people this Plan also supports opportunities for existing residents to downsize and make more larger units available to the market.</p> <p>c) Higher standards of accessibility, adaptability and for wheelchair users should be considered beyond the JLP as evidence by the 2021 Housing Needs Assessment prepared for the Plan.</p>	<p>Criterion c) The HNA states suggests a higher standard, than the JLP, would be appropriate for Dartmouth “where viable”. (AECOM HNA 2021 para 76). No evidence has been presented that viability testing has taken place. Suggest the Policy wording is altered to “encourage” rather than “should”.</p>
<p>Policy DNP H2- Exception Sites outside the settlement boundary</p> <p>The use of Exception Sites adjoining the settlement boundary to deliver affordable housing will be supported where they comply with National and Development Plan policy and the policies of this plan. A site will only be permitted if; -</p> <p>a) It meets a proven need for affordable housing for local people.</p> <p>b) The needs of the local community are addressed.</p> <p>c) Management of the scheme will ensure that the dwellings continue to meet such proven needs for initial and subsequent occupiers.</p> <p>d) The development should reflect the character and scale of the parish and be physically integrated with it in terms of design, scale and pedestrian access.</p> <p>e) The proposal conserves and enhances the landscape, scenic and natural beauty of the AONB and the design is in compliance with the latest South Devon AONB Management Plan and AONB Planning Guidance.</p> <p>f) Cross subsidy through the provision of open market housing on the scheme will be allowed only where it ensures the delivery of the affordable housing and shall comprise the minimum number of open market dwellings necessary to ensure the delivery of affordable housing as</p>	<p>Criterion b) it is unclear what is being required over and above that required by Criterion a).</p> <p>Criterion f) JLP Policy TTV 27 is clear as to the requirements that apply to exception sites. This criteria appears to extend those requirements without justification.</p>

<p>part of the same development proposal, to be demonstrated by a viability appraisal of the full scheme.</p>	
<p>Policy DNP H3 Affordable Housing. Proposals for affordable housing development within the settlement boundary or as exception sites will be supported where; -</p> <p>a) The number of affordable homes to be delivered is in line with the need as defined by Devon Homes Choice or the local affordable housing register in place at the time and where a need has been identified, this includes custom and self-build plots where feasible.</p> <p>b) Affordability is determined with consideration of the particular circumstances of Dartmouth, namely high average property prices and low salaries.</p> <p>c) The range and size of dwellings especially single bed units is in line with the need as defined by Devon Homes Choice or the local affordable housing register in place at the time.</p> <p>d) Discounted 'First Homes' for young families shall be provided in line with National policy. Discounts should be 50% on the new home price to ensure First Homes are affordable to local incomes.</p> <p>e) Homes should be occupied by people with a demonstrable local connection to the Parish which is defined within the SHDC Adopted Local Allocation Policy (2017). The early and urgent needs of key workers including teachers, healthcare workers, fire brigade and lifeboat crew should be considered exceptional circumstances under the provisions of the allocation policy.</p>	<p>General Comments on Policy DNP H3</p> <p>South Hams District Council declared a housing crisis on 24 September 2021. In part this was in recognition of the challenges for young people to afford to live locally, either in rented accommodation or through affordable home ownership. We support the DNP Neighbourhood Planning Group's production of a local Housing Need Survey which will support developers to meet specific identified needs during the lifetime of the Neighbourhood Plan once made. The wording of policy DNP H3 used within the neighbourhood plan to seek boost local affordability is however potentially inconsistent with the strategic policies of the Joint Local Plan and in some places misleading when considering national guidance.</p> <p>Policy DNP H3 makes reference to support for affordable homes within settlements and exception sites within a combined list of criteria. This includes a priority for First Homes as an affordable home ownership product. The Dartmouth Neighbourhood Planning Group should be aware that First Home Exception Sites are not eligible within Rural Designated Areas or within Areas of Outstanding Natural Beauty (AONB). This was made clear in the written ministerial statement (24 May 2021) which is afforded planning weight within the National Planning Policy Framework (paragraph 6). This would mean such sites would not be appropriate on land within Dartmouth that is so designated.</p> <p>Strategic Policy SPT3 of the adopted JLP sets out the overall policy target for affordable housing delivery within the plan area. Policy DEV8 sets out the percentage of affordable Homes expected to be delivered on and offsite in order to achieve this total within the Thriving Towns and Villages Policy Area. The JLP Supplementary Planning Document (Para 4.79) sets out the preferred split of affordable Homes to be 65% as social rent and 35% affordable home ownership products. The policy thresholds for affordable housing were informed by an assessment of housing need at the strategic level in the Strategic Housing Market Assessment and through viability testing to ensure that such thresholds would not impact the overall</p>

<p>f) Affordable housing for sale is subject to a legal restriction to ensure the homes remain affordable and that the discount is maintained in perpetuity.</p> <p>g) Development in or within the visual impact of the AONB conserves and enhances the landscape, scenic and natural beauty of the AONB and the design is in compliance with the latest South Devon AONB Management Plan and AONB Planning Guidance.</p> <p>Such developments could include proposals for Community Led Housing.</p>	<p>deliverability of new proposals for housing including development allocations in Dartmouth. The evidence assumptions used in these documents were subject to examination at a Public Inquiry in respect of the JLP. The proposed policy for DNP H3 (criteria d) changes the assumptions used in that it seeks to prioritise First Homes as the preferred form of home ownership model and provides evidence in a Housing Need Survey (AECOM, 2021) to suggest such Homes be sold at a 50% discount on market value based on levels of local housing need without viability evidence.</p> <p>The Housing Needs Survey effectively highlights the concerning lack of housing affordability, however in changing viability assumptions without update or reference to existing viability work there is a level of risk which the Dartmouth Neighbourhood Planning Group should be aware of. The Written Ministerial Statement states that policy compliance including First Homes will be judged at the equivalent total value as locally adopted affordable housing policies (in this case JLP Policy DEV8) with at least 25% of those affordable homes as First Homes. No viability evidence has been undertaken to support the AECOM study to show that applying 50% discount to 25% of affordable Homes will not lead to a reduction in the overall proportion of affordable Homes at any given residential site and which would now be considered policy compliant. We do not know from the evidence presented whether this policy approach will lead a reduction in the number of both homes for Social Rent and the scale of impact on all affordable housing delivery in the Neighbourhood Plan Area should the plan be made.</p> <p>For the above reason, in the absence of viability testing to prove otherwise, we cannot support the inclusion of First Homes in this policy. The approach to discounted First Homes has the potential to reduce affordable housing delivery and conflict with strategic policy SPT3 of the Joint Local Plan which seeks to deliver a minimum of 2,050 affordable Homes up to 2034. It is also unclear whether the policy would significantly prejudice the ability to meet the identified affordable housing needs of specific groups.</p> <p>Specific Issues relating to DNP H3 criteria</p>
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	<p>Criterion a: See General comments above. Additionally, whilst the housing waiting lists and Devon Homes data base provide important information for assessing local housing need, the starting point should be the Strategic Housing Market Assessment linked to an up-to-date local housing needs assessment. Furthermore, the JLP sets out the percentage that should accompany development proposals. This criteria seeks to apply a new criteria for which no clear explanation or justification is given.</p> <p>Criterion b): This will apply as a matter of course and need not be stated.</p> <p>Criteria c): Same comment as for Criteria a) apart from final sentence.</p> <p>Criterion d): See General Comments above.</p> <p>Criterion e) The definition of Key workers changes over time, it is not appropriate that the Neighbourhood Plan identifies specific key worker categories this is best achieved by a review of the Local Allocations Policy.</p> <p>Criterion f) This is not entirely correct. Parts of Dartmouth outside of the AONB are classed as main town and stair casing is allowed to 100% as per Homes England grant funding requirements.</p> <p>Last sentence: This appears to preclude schemes that are wholly instigated by the private sector as such should be removed.</p>
<p>Policy DNP H4 - Principal Residence</p> <p>a) New open market housing, excluding replacement dwellings, will only be supported where there is a restriction to ensure its occupancy as a principal residence guaranteed through a planning condition or legal agreement. This policy is as a result of impact upon the local housing market of second or holiday homes. New unrestricted market homes will not be supported at any time.</p> <p>b) Principal residence is defined as one occupied as the residents' sole or main residence, where the residents spend the majority of their time when not working away from home. The condition or obligation on new open</p>	<p>No comment</p>

<p>market homes will require that they are occupied only as the primary (principal) residence of those persons entitled to occupy them.</p> <p>c) Occupiers of homes with a Principal Residence condition will be required to keep proof that they are meeting the obligation or condition and will be obliged to provide this proof if and when SHDC requests this information. Proof of Principal Residence includes but is not limited to residents being registered on the local electoral register and being registered for and attending local services including healthcare, and schools.</p> <p>d) This policy applies to all new build development both allocated and windfall sites where open market housing is proposed within the Neighbourhood Plan Area.</p> <p>e) A replacement dwelling is defined as a single new build dwelling replacing an existing dwelling of equivalent size and design as the original dwelling.</p> <p>f) Where a non-domestic property is converted to residential use through planning consent or by Permitted Development Rights such dwellings are considered new dwellings for the purposes of this policy.</p>	
<p>Policy DNP H5 Specialist Accommodation for Older People, residential care nursing homes and loss of existing residential care.</p> <p>a) Additional Specialist Residential care provision</p> <p>will be supported in the Plan area. This should be provided with reference The Dartmouth Housing Needs Assessment 2021 (HNA) by AECOM Consultants and included in Appendix H1 The provision may comprise; -</p> <ul style="list-style-type: none"> • Extra Care • Sheltered Housing • Affordable Specialist Accommodation • Market Specialist Accommodation 	<p>a) Remove reference to the HNA since this a background paper. Circumstances will change, the HNA provides useful evidence but is a snapshot in time. The evidence that supports the specialist provision sought is better placed in the justification.</p>

<p>b) Loss of existing residential care and nursing homes for older people The change of use or redevelopment of a care home or nursing home will only be permitted providing that new facilities of a similar type are provided in the parish to replace the facilities being lost; or there is a proven absence of demand for the continuation of the use and the site has been marketed effectively for such use over a period of at least 24 months at an appropriate level. In circumstances where the loss of an existing care home or nursing home is considered to be acceptable, the site should be used for an alternative provision for the elderly, such as the provision of dwellings specifically designed for the elderly, and subject to an occupancy restriction to ensure that the dwellings are used for this purpose in perpetuity.</p> <p>c) New homes for older people All new development for older people which can form part of developments of mixed ages and tenures should comply with all the other housing policies of this plan and should be on previously developed land or sites within the settlement boundary, within easy access to local centres and meet the other policies of the plan, including those relating to design quality. Any new development should ensure that the appearance and character of the town or surrounding countryside are not harmed.</p> <p>d) Design Standards for Specialist Accommodation for older people Where viable the access standards should exceed the provisions of JLP Policy DEV9 against national standards for accessibility and adaptability (Category M4(2)), and for wheelchair users (Category M4(3)).</p>	<p>b) First sentence: It is unreasonable to require replacement facilities are provided should the existing use prove unviable.</p> <p>b) Last sentence: It is unreasonable to require that the specific uses identified replace a use that proves unviable. It is suggested that b) simply requires that the changes of use specified are subject of a marketing test prior to change of use being considered.</p> <p>c) First sentence: Whilst understanding the desire to locate such accommodation centrally in the town this restriction could inhibit much needed provision on elsewhere and on exception sites.</p> <p>d) See comments on DNP H1c). In essence, no justification (nor viability assessment) has been presented that supports exceeding the requirements set by JLP Policy Dev9. Suggest the statement could “encourage” rather than insist upon the exceedance of standards.</p>
<p>Policy DNP HW 1 Re-use of the former hospital site and health centre Zion Place. This plan supports maintaining community provision and facilities capable of being used to</p>	

serve the health and wellbeing of the local and visitor population in Lower Town on the sites shown in Map 17 once the facilities to be provided in the new Health and Wellbeing Centre (H&WC) at the top of town are established.

A development brief should be prepared in advance of any planning applications for these sites. The preparation of the briefs should be undertaken in such a way as to allow residents and businesses the opportunity to shape the future of the former hospital site in particular.

The following requirements should be addressed in preparing the briefs: -

- The need, if still required, for the redevelopment to contribute to the funding of the new H&WC in Upper Town;
- The provision of community space capable of supporting health and social care facilities/services and first aid, particularly for the use of residents of and visitors to Lower Town;
- The massing and design of the development of the hospital site given its prominent location as part of Dartmouth's historic waterfront and Conservation Area;
- The need to respect and avoid significant harm to existing designated and non-designated heritage assets;
- The need to address flood risk particularly in respect of ground floor uses;
- Other relevant policies as contained in the Development Plan.

A key purpose of the development briefs should establish the balance to be struck between the commercial/residential market, the provision of affordable/ key worker housing, if required, and community uses.

The Council's comments at Regulation 14 were as follows:-

“There appears to be no planning justification for the requirement to retain a portion of the site for “ health and wellbeing facilities”. There may be covenants which apply but these will be separate and distinct from what the planning system can require. Have any discussions taken place with the Health Board? Is their evidence from that quarter to support the requirements of this Policy?

The requirement to produce a Development Brief appears onerous and requires full justification.”

The Policy has been amended and expanded in the Regulation 15 Version. The Council's concerns however remain that the Policy is over prescriptive and unduly onerous in its current form.

It is understood that the Dartmouth NPG have had extensive discussions with Torbay and South Devon NHS Foundation Trust (TSDFT) regarding the future of the sites identified in this Policy. As yet, however, no formal response to the content of the Neighbourhood Plan has been received from TSDFT.

The Council, therefore, maintains its concerns regarding the content of this Policy.

<p>Evidence for maintaining community provision and facilities supporting health and wellbeing in Lower Town is included in Appendix S2.</p> <p>Redevelopment of the sites should be subject to a comprehensive survey of existing heritage assets and must avoid harm to these assets and protect and enhance the historic environment as set out in national and local policy. All proposals will be required to set out the development expectations to address flooding risk and must address level 2 and 3 flood risks; the Sequential Test must first be successfully applied. The Exception Test may also need to be applied for certain components of the proposed redevelopment. As a minimum, as well as being safe from flooding over its lifetime, development must contribute to reducing the overall flood risk of the town.</p> <p>All detrimental water impacts on the river environment through surface water run off during construction and operation must be fully assessed prior to planning applications for development.</p>	
<p>Policy DNP HW 2, Community Facilities</p> <p>a) Development that results in the loss of community facilities and public spaces as outlined above in paragraphs 6.6.4-10 or that results in any harm to their character, setting, accessibility, appearance, general quality and amenity value will only be permitted if they are replaced by community facilities and/or public spaces of equal or higher quality, economic viability and value to the community or it can be demonstrated they are no longer needed.</p> <p>b) New residential development will where practicable be expected to deliver new community facilities including Open Space, Sports and Recreation (OSSR) facilities on site. On smaller sites or where this is not practicable a planning obligation will be sought to mitigate the impact of new</p>	<p>a) The community facilities mentioned in the Policy at paragraphs 6.6.4-10 should be listed in the Policy and identified on a Proposals Map.</p>

<p>residents through new and improved provision in an appropriate location. For OSSR facilities this should be in accordance with the priorities and projects identified in the latest SHDC and DTC OSSR Plans and SHDC's Playing Pitch Strategy.</p> <p>c) Proposals that involve the use of land in the countryside to facilitate and enhance informal recreational activities and access related to the enjoyment and interpretation of the countryside will be supported where they would not have an adverse effect on the AONB, countryside, historic environment, and other land uses in the vicinity. Any proposals that improve access to existing public rights of way will be supported.</p> <p>d) Proposals that promote the public awareness and enjoyment of the historic and natural environment such as heritage and nature trails will be supported. Any future development should include the appropriate enhancement of adjacent heritage and nature trails.</p> <p>e) Ancillary facilities to public spaces must, where practicable, be accommodated in existing buildings. New facilities should be in keeping with their surroundings and respect policy DNP TE2 (Design Quality throughout the Parish).</p> <p>f) The area shaded in Map 18 is safeguarded solely for emergency and community services to serve the Parish. Other uses will not be supported.</p>	<p>Criterion d) Last sentence suggest should read “Where appropriate development should include.....”</p> <p>Criterion f) The Council requested (in its Regulation 14 consultation response) that owners of the land identified in this criterion be individually and formally consulted. The Statement of Consultation records (Para 4.2) that all landowners were consulted the result of that consultation, in relation to this proposal, is not readily apparent.</p>
<p>Policy DNP HW3 Improved water access for recreational users.</p> <p>This plan supports new and improved access and infrastructure to the River Dart for recreational watercraft</p>	<p>No comment</p>

<p>users. Improvements should be focussed at North Embankment in the vicinity of the Higher Ferry and include the following:</p> <p>a) An improved slipway on the North Embankment indicated in Map 19.</p> <p>b) The present boat storage facilities on Coronation Park should be retained and enhanced;</p> <p>c) Short term parking provision for craft and vehicles adjacent to the slipways indicated in Map 19.</p>	
<p>HW4 POLICY DNP HW4 Education Facilities</p> <p>a) Further development required by The Dartmouth Academy for education and sports purposes during the period of the Plan shall be supported providing such proposals meet the other policy requirements of this Plan and the JLP.</p> <p>b) Development that results in the loss of existing education facilities or causes any harm to their function, character, setting, accessibility, appearance, general quality, and amenity value will only be permitted if they are replaced by education facilities of equal or higher quality, economic viability and value to the community or it can be demonstrated they are no longer needed.</p> <p>c) The area illustrated in Map 20 encompassing the Dartmouth Academy and grounds is safeguarded solely for education and community related uses. Other uses will not be supported.</p>	<p>At Regulation 14 the Council raised the following questions:-</p> <p><i>Criteria b) Has this criteria been discussed with the Education Authority/Providers?</i></p> <p><i>Criteria c) Have the owners/occupiers of this site been individually consulted?</i></p> <p>The Statement of Consultation records (Para 4.2) that all landowners were consulted the result of that consultation, in relation to this these proposals, is not readily apparent.</p> <p>The Council's is concerned that this Policy is over prescriptive and unduly onerous in its current form</p>

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April 2022

APPENDIX 1: Map illustrating the extent of LGS 16 Jawbones Beacon Park agreed by the Council with Dartmouth NPG



