

Part 2 – detailed assessment of the pre-submission **Draft Ugborough Neighbourhood Plan**.

This section provides a more detailed assessment of the UNP.

In many cases, the objective and intent of the policy is, in principle supported. The suggestions are aimed at ensuring that the policies achieve the objective for which they are intended, are compliant and can be realised.

Section/ Policy	Issue	Relevant National Guidance	Options/actions for potential changes
Insert section headers as appropriate			
Introduction	Whilst SHDC is preparing a new Local Plan – ‘Our Plan’, this has not been adopted and has yet to be subject to formal public consultation – giving it negligible weight in planning terms.		Include reference to the adopted SHDC Core Strategy 2006 - 2016
Vision	Is the text in the green box the Vision? It says it is an aim? Present the Vision under a clear heading.	Para 14 – Presumption in Favour.	Suggested revisions to the Vision: The Ugborough Neighbourhood Plan Area sits between Dartmoor and the sea with a distinct historic and natural environment and is a strong, balanced, rural community. Our Vision is to maintain and enhance its character, support the local community while responding to evolving needs and aspirations and striving towards a sustainable future for all.
Heritage – P26	Is recognising something an objective? Would the objective be better to not only maintain, but to enhance where the opportunity arises? The bullet points under ‘reasoned justification’ seem to make a more logical set of objectives		Revise objectives so that they are measurable.

<p>Policy UG1: Historic Features</p>	<p>Much of the proposed policy text does not contribute to meeting the theme objective(s). A policy should not state that any proposal 'will be refused' as the determination of a planning application is a result of consideration of numerous material considerations, and seldom on a single policy requirement</p> <p>There is clear policy requirement regarding the historic environment from national to local. Specific comment on development proposals regarding the historic environment comes from Historic England, so there is no need to make subjective statements regarding impact.</p> <p>Throughout the document references are made to things being 'refused permission'. This is not a statement that should be included within individual policies, because a proposal could still be given permission, it depends on the balance of benefits and impacts. The preferred phrasing should be that 'proposals will not be supported where...'</p>		<p>Revise the policy wording, taking out a number of criteria that are ill-defined or cannot be enforced. Suggested amendments:</p> <p>Development will be supported where it:</p> <ul style="list-style-type: none"> □. makes the most of opportunities to draw on the contribution made by the historic environment to the character of the place and communities it sustains; □. takes account of the desirability of making a positive contribution to local character; □. respects the local character of the surroundings and take every opportunity, through use of design and local materials, to reinforce local distinctiveness; and Can demonstrate that respects and positively responds to identified listed buildings within the plan area. □. does not dominate the views of the landscape or the view of the Grade 1 listed Church of St Peter. <p>Development that detracts from a historic or vernacular feature will be refused permission. In particular development</p>
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UG2 – Skyline and Other Views and Vistas	<p>Change of emphasis of policy wording required. The ‘breaking of skylines’ and ‘views and vistas’ is not quantifiable. Most development will result in an altered view or vista from somewhere, but that is not enough to merit a refusal.</p> <p>Does the policy only refer to the views shown on the maps provided? If so, why only these?</p>		<p>Suggested revision to policy wording:</p> <p>Development will be supported where it maintains the distinctiveness and character of local skylines, views and vistas. Development in the Plan Area is typically below ridge lines and combines to create views and vistas. Where development breaks skylines and impinges on views and vistas it will be refused.</p>
Transport & Movement	<p>Is recognising something a valid policy objective? The rural nature of the transport network in the parish can be explained in the NP, but does not merit being an overall objective.</p>		<p>Revise the objectives. Can the NP identify objectives that can be met by NP policies? How will progress against these objectives be measured if the Highways Authority are not responsible for preparing or delivering the policies?</p>

<p>UG3 – Traffic Flow</p>	<p>Does associated mean ‘adjoining’? Does any site in the plan area allow ‘direct and unhindered’ access to all 3 of the identified roads? What does ‘unhindered’ mean in this regard?</p> <p>It is not a proportionate requirement for small development proposals to justify the full range of impacts identified within this policy. Such a requirement is likely to be considered too onerous on a developer of a small scheme. The Highway Authority will provide an assessment of transport impact of a development proposal when discharging their statutory duty.</p>	<p>NPPF para 193 – ‘...information requirements for applications, which should be proportionate to the nature and scale of development proposals...’</p>	<p>It is suggested that this objective and policy is removed from the NP. To provide an understanding of the traffic constraints of the parish, details could be included in the ‘Background’ section.</p>
<p>Housing – p34.</p>	<p>The objectives for housing need to be listed as bullet points for clarity.</p> <p>The first objective simply says that the plan will deliver new homes according to the policies within the plan. This is a basic function of the planning document, and not a specific housing objective.</p> <p>The stated housing objective of providing homes for people ‘within the plan area’ is not consistent with SHDC allocations or Local Connection criteria. Someone currently residing outside the plan area could have a demonstrable housing need and also meet the required criteria to be housed in Ugborough.</p> <p>The plan is not able to state a maximum figure for new housing, but can set a minimum. This is because once a ‘maximum’ figure is reached it is not within the gift of the NP to prevent a suitable development proposal from being given planning permission if it meets the requirements of the NP and Local Plan policy.</p>	<p>Para 47. To boost significantly the supply of housing... this is an imperative for all LPAs, and needs to be reflected in NPs too.</p>	<p>Revise the draft plan to include a minimum housing figure to be achieved within the plan period.</p>

<p>Housing - p35</p>	<p>The plan document seem to suggest that homes will be delivered that reflect the historic growth trend from the last 15 years. It then goes on to say that the last 20 years have seen a growth of 60 dwellings within the plan area. It is therefore inconsistent to draw a conclusion that 30 should be delivered over the next 15 years. Surely an equivalent figure would be for 45 new homes?</p> <p>The document also acknowledges that there are less opportunities for infill growth, and yet the plan does not use this as an opportunity to identify other sites that can deliver new homes, with no justification given for this passive strategy.</p> <p>Whilst SHDC have not provided a specific housing target for Ugborough, there is an expectation that the NP will identify a proportionate figure that will allow for the sustainable growth of the village and wider parish – this means market housing as well as affordable housing.</p> <p>In 2009, SHDC had a Rural Areas DPD examined. It proposed a site of up to 25 dwellings for Ugborough. Although the site was not allocated due to constraints regarding flood zones and access, the examiner did not question the appropriateness of the figure. Whilst SHDC did not identify a site to allocate, the figure of 25 for a 7 year period was not disputed. Applying a similar rationale for the NP plan period of 15 years, a figure of 50 would be reasonable.</p>	<p>Para 47 again.</p>	<p>Revise the overall housing figure to take into account the comments provided.</p>
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<p>UG4 – Small Scale Housing Developments</p>	<p>Whilst it is accepted that some in the community have expressed a preference for sites of up to 4 dwellings to be supported, what justification is there for adopting this as a policy requirement? What site assessment has been done to demonstrate that sites of such a scale are available and deliverable? What alternative scale of development was considered, and what alternative scale of sites were assessed before concluding that this policy requirement was both reasonable and deliverable?</p> <p>It is highly unlikely that such small schemes will deliver an on-site affordable housing, instead contributing small off-site commuted sums. The investment of such funds are time bound, and such small amounts are unlikely to result in the delivery of any new affordable housing.</p> <p>This policy requirement seriously undermines the ability of the plan to meet the identified affordable housing need.</p> <p>All Housing criteria should be consolidated into one policy.</p>	<p>NPPF Para 159 – Housing Evidence.</p> <p>This relates to the delivery of housing for LPAs through Local Plans. If an NP is to be given the same weight as a Development Plan Document, it also needs to accord with the basic evidence requirements of the Local Plan, namely: ‘...to establish realistic assumptions about the availability, suitability and the likely economic viability of land to meet the identified need for housing over the plan period.’</p>	<p>UG4: Small scale housing developments Revise the policy wording to remove criterion that are not justified with evidence. OR, undertake some site assessment work that demonstrates that there are small sites available to deliver the policy – whilst also demonstrating that affordable housing provision will not be undermined by the general housing policy.</p> <p>Development of small scale housing developments will be supported subject to the following criteria:</p> <ul style="list-style-type: none"> <input type="checkbox"/> they comprise up to a maximum of 4 dwellings; <input type="checkbox"/> the proposals would not have a detrimental impact on the surrounding rural landscape and the landscape setting of any settlement in the Plan Area; <input type="checkbox"/> the development is appropriate in terms of its scale, character and location with the settlement to which it is associated; and <input type="checkbox"/> the proposals meet the criteria in policies UG11, UG12, UG13 and UG14.
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<p>UG5: Infill sites</p>	<p>The principle of development within established settlements is well established, SHDC is not convinced that this policy is necessary.</p> <p>What does 'well designed' mean? Are there examples of what the NP means by well designed?</p> <p>Why should infill development be restricted to 'small, restricted gaps'? What defines a 'small gap'?</p> <p>Access constraints will be identified by the Highways Authority, and there is no certainty of refusal. As mentioned previously, a preferred phrase is 'development will not be supported'.</p> <p>SHDC already has an adopted residential amenity policy which will be applied to all development proposals within the plan area.</p>	<p>NPPF para 14 – presumption in favour of sustainable development.</p>	<p>UG5: Infill sites Suggested revisions to policy wording: Development for small residential developments on infill and redevelopment sites will be supported subject to proposals being well designed and meeting all relevant requirements set out in other policies in this Plan, and where such development:</p> <ul style="list-style-type: none"> <input type="checkbox"/> fills a small, restricted gap in the continuity of existing frontage buildings or on other sites within a built-up area where the site is closely surrounded by buildings; and <input type="checkbox"/> development will be refused where it is considered to be unacceptable backland or unneighbourly development that requires unsuitable access (see Devon County Council, Planning – Highways Development Management Advice, 2008), reduces the privacy of adjoining properties or is inconsistent with the character of the locality.
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<p>UG6: Conversion of Farm Buildings</p>	<p>The specific requirements of conversions are either covered through Permitted Development Rights or through Local Policy DP16: Conversion and Reuse of Existing Buildings in the Countryside</p>		<p>Review this policy against National and Local Policy – what is it trying to achieve that cannot currently be achieved using adopted policies?</p>
<p>P43.</p>	<p>The first paragraph seems to suggest an alternative policy approach if, after the first 5 years, the plan has not delivered the housing already identified as being needed. What evidence is there to suggest that a CLT will be deliverable in 5-years time, and if the principle is acceptable in 5-years, why not try to bring a community-led scheme forward in the first 5-years, maximising the chances of the NP actually delivering some housing to meet local needs?</p>		<p>As part of the wider reconsideration of housing policies, should this approach be incorporated as a formal policy requirement? What evidence can the NP use to show that this policy will deliver new homes?</p>
<p>P44.</p>	<p>The plan seems to be saying that no active intervention is being made to meet the identified affordable housing need for the parish. Instead it seems to suggest that the allocated site on the east of Ivybridge will provide the AH needed. The proportion of allocated housing within the allocation was calculated based on the local needs of Ivybridge, and just because it is within close proximity of Ugborough does not mean that it can absorb the AH need that the HNS identified. NPs need to be positive and proactive, if the HNS identified a need of 10 AH dwellings (both rented and shared ownership) then the NP needs to show how it is going to take responsibility for delivering housing to meet that need.</p>		

Housing Needs Survey – p43.	The Plan states that only “three respondents in the Plan Area were in need of an affordable home within the next five years.” The Housing Needs Survey found that there were 10 affordable homes required within the next five year. If this trend were to replicated across the plan period, that would result in 30 affordable homes being needed – and yet the NP is only planning for 30 homes in total for the plan period – for both market and affordable, this seems inconsistent with the evidence.	NPPF para 47 & 54.	Review the evidence provided by the HNS.
UG7 – Affordable Housing	<p>Given the lack of subsidy available to deliver affordable housing, it seems unlikely that any schemes on such a small scale will be delivered.</p> <p>Instead of ‘social rented’, plan should use ‘affordable rented’ as very few new builds are being developed and let as social rented. Social rent is roughly 60% of the open market value, affordable rented is about 80% of the open market value. Both could be met through LHA.</p>		Revise the policy wording to remove constraints over size of development.
UG8 – Local Connection	UG8 is not currently consistent with the adopted Local Connection criteria of SHDC.		Review the policy wording to ensure conformity with locally adopted policy.

UG9 – Self Build	<p>Whilst SHDC accepts what is trying to be achieved with this policy, much of what is being required by the NDP can only be achieved by planning condition, and it is not the job of the NDP to write planning conditions, but to create an enabling policy framework.</p> <p>The restrictions required regarding local connection and requiring the owner to live in the building once complete cannot be applied to dwellings where the general principle of development is acceptable. They may be applicable to exception sites.</p> <p>SHDC will shortly be adopting an Interim S&CB policy that only seeks to secure a local connection on exception sites.</p>	<p>If a location is considered sustainable, and accords with para 14, it is not reasonable to try and apply a local connection clause, or other form of restrictive planning policy.</p>	<p>Re-write this policy to more generally supportive policy, and refer to standard SHDC planning conditions that will be used to secure the delivery of this type of housing</p>
UG10 – Older Persons Housing	<p>SHDC can see that this policy is well supported by the evidence provided. The second criterion should relate to potential impact on residential amenity also – refer to SHDC policy regarding this.</p> <p>This policy seems to meet the 3rd Housing Objective of the plan.</p>	<p>Supported by NPPF para 50</p>	
Biodiversity – p48	<p>The Biodiversity sections seems to be a sub-section of the housing theme – why is that?</p>	<p>Para 109</p>	<p>Simply refer to the NPPF para 109</p>
UG11: Landscape and built environment character	<p>This is another set of criteria relating to housing, and tends to repeat criterion found in other policies.</p> <p>Other criterion simply repeat generic national and local policies without providing any greater level of detail or interpretation.</p>		<p>Consolidate this policy into the housing criteria.</p> <p>Or, remove the policy and refer to the overall intention of the policy in a transport section. However, what this policy is seeking to achieve may be outwith the remit of a NP.</p>

UG12 - Design	<p>Good design does not necessarily require replicating what is already in situ, in many cases this can lead to pastiche development that does not add integrity to a built environment, but actively devalues the environment that is being sought to preserve.</p> <p>Positive examples of good development would have been useful here, in visual form, to give an indication of what is considered desirable.</p> <p>Some of the criteria listed are subjective and open to interpretation without positive examples of what is trying to be achieved.</p>	<p>Para 60. Planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles.</p>	<p>Revise to provide positive examples of what has been developed previously.</p> <p>Revise the policy to remove prescriptive requirements, providing a general enabling policy that seeks to achieve good design.</p>
UG13 – Conservation Area	<p>Check for conformity with the CACA.</p> <p>How does providing increased parking protect the integrity of the CA?</p> <p>Do not confuse the qualitative focus of the CACA and policies by trying to remedy a structural parking deficiency.</p>	<p>Para 137 – 138.</p>	<p>Revise the policy wording to remove issues related to parking and transport.</p>
UG14 – Sustainability	<p>This policy looks very confused. It seems to focus heavily on parking, not sustainability. Ref NPPF para 7 – does policy UG14 provide a local definition of sustainability that adds to the content of NPPF para 7?</p> <p>It also seems disproportionately onerous for developers of small schemes to demonstrate that there will be benefits to health and wellbeing and improved access to open space etc from what amounts to very small housing schemes.</p> <p>If a larger housing scheme were to be proactively enabled, more justification and evidence could be reasonably required. It could also enable more community benefit.</p>	<p>NPPF para 7 explains the three components of sustainable development.</p>	<p>Review the need for this policy – what objective is it meeting?</p>

<p>UG15 – Rural Business</p>	<p>How big must a development be to coalesce adjoining settlements – according to the map there are miles between the nearest settlements!</p> <p>Remove the phrase ‘open countryside’ as this has a specific planning interpretation. Refer to Para 55 of the NPPF to understand the requirements of rural housing.</p> <p>National and locally adopted policies already provide a positive economic framework for the rural economy.</p>	<p>NPPF para 28.</p>	<p>Review the need for this policy.</p>
<p>UG16 – Visitors to the Plan Area</p>	<p>How is this policy different to the economic policy? Remove reference to settlement boundaries, because the boundary shown on p69 is significantly outdated, and the NP has made no attempt to update or justify the use of a boundary.</p> <p>This phrase could also appear contrary to the ‘open countryside’ criterion in UG15.</p>	<p>Para 28 – Prosperous Rural Economy.</p>	<p>Review the need for this policy.</p>
<p>UG17 – Community Facilities</p>	<p>What community facilities are we talking about? It may be useful to list the facilities that are considered to be important.</p> <p>Has the NP considered the designation of a Local Green Space?</p>	<p>NPPF para 76</p>	<p>Provide a list or map of facilities that will be subject to this policy.</p> <p>Review NPPF criteria for allocating Local Green Space</p>