



**South Hams
District Council**

**South Hams Local Development Framework
Development Policies Development Plan Document**

Consultation Statement - Regulation 28

October 2009

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1. This Statement accompanies the Submission of the Development Policies Development Plan Document to the Secretary of State. It sets out the information required under regulation 30(e) of the Town and Country Planning (Local Development) (England) (Amendment) Regulations 2008. It documents:
 - the number of representations made
 - a summary of the main issues raised in those representations.
2. The publication stage ran from 22 May to 4pm on 3 July 2009. The Development Policies DPD sets out a suite of policies to be used in the determination of planning applications for South Hams District (outside Dartmoor National Park).
3. A total of 31 bodies and individuals responded to the consultation and raised 276 representations on the published DPD.
4. The main issues raised under regulation 28 are summarised in the following four questions.
 - How consistent is the Development Policies DPD with other DPDs (including the RSS) and SPD, and are the linkages and cross-references clear?
 - Is there enough evidence on the local context to justify the policy provisions – employment protection, parking, housing mix, high quality design, sustainable construction, open space, landscape character etc?
 - How reasonable are the section 106 provision requirements?
 - How reasonable is the amount of evidence required to support an application?
5. An abridgement of all representations received and the Councils' response to them is appended below. Proposed amendments to the Publication stage document in response to issues raised and to improve clarity of the DPD are available as a separate document of suggested changes.

Summary of Main Issues under Regulation 28

Policy / paragraph	Organisation (& Representative Number)	Comment	SHDC Response
DP1			
DP1	GOSW (315922 - 4368)	Some policies repeat higher level policy e.g. DP1 and DP4.	No change. DP1 criteria are not set out in national planning policy. Providing high quality design is one of the most important issues for South Hams and therefore it is important to flesh out this strategic issue, for a district that relies on its visual appeal and character to bring in tourists and encourage inward investment.
DP1	Environment Agency (182024 - 1202)	Support policies DP1, DP4, DP5, DP8.	Support welcomed.
Para 3.17	Environment Agency (182024 - 1202)	Para 3.17: some PDL sites have high biodiversity value and provide wildlife corridors/links, and open space important for recreation.	No change. Biodiversity is covered by DP5; also at national level PDL is given priority at a national level. Biodiversity is covered by RSS policy, DP5 and PPS9.
DP1 criteria 1e	South Devon AONB (182265 - 1094)	Supports DP1:1e ref to enhancing views and skyline.	Support welcomed.
DP1 criteria 1a	South Devon AONB (182265 - 1094)	1a: design should respond to 'natural features of the area', as well as built features.	Suggestion taken on board and the words 'and natural' inserted into policy criteria 1a.
Guidance list	Dartmouth Town Council	Why is Dartmouth Town Plan undertaken by the MCTi is not included in this document?	Parish Plans, Village Design Statements and Town Plans added to list of guidance.
DP1 clause 1	Teignbridge District Council	Why only two landscapes mentioned - should this policy not apply everywhere?	Comment accepted. The two landscape characters have been deleted, so that the policy responds to all settlements and landscapes.
DP1	Devon County Council (920)	Policy should include sustainable construction criteria.	No change. Sustainable construction criteria are included within Policy DP4 'Sustainable Construction.'
DP1 criteria 1d	Devon County Council (920)	Clause d could read 'incorporates permeable layouts and accesses which allow for ease of movements for all within and between adjacent areas and design in accordance with the modal hierarchy as defined in PPG13 and the Manual for Streets'.	No change. The policy provides for the needs of pedestrians, cyclists and public transport before those of the motorists. PPG13 and Manual for Streets are within the list of relevant guidance in the supporting text.

Policy / paragraph	Organisation (& Representative Number)	Comment	SHDC Response
Para 3.22	Devon County Council (920)	Para 3.22: add Urban Design Compendium - English Partnerships and Housing Corporation.	Suggestion taken on board.
DP1	National Trust (315963 - 1104)	Include sustainable design in title and include as a criteria.	No change. Sustainable construction criteria are included within Policy DP4 'Sustainable Construction'
DP1 criteria 1d	Highways Agency	Supports policy and point d.	Support welcomed.
DP1	DPDS (182485 - 4367)	Encapsulates most national policy objectives. Should also reflect needs of future development. Additional criteria h: 'Take into account, where appropriate, the need for future adjoining development to be able to achieve linkages and integration with existing development and to ensure that proper comprehensive development in the longer term is not compromised or prevented', as outlined in PPS1 (para 26ii).	No change. This is already covered by national policy PPS1, as outlined in the response from DPDS.
DP1 criteria 1g	The Dartington Hall Trust (316336 - 4379)	Requirement for public art is not justified by evidence base and cannot be applied to all applications such as single dwellings. No national policy to base this requirement. Public art should only relate to larger schemes and not agricultural developments.	No change. The policy wording states that public art is required 'where appropriate' and will not apply to all developments.
DP1 criteria 1c	The Dartington Hall Trust (316336 - 4379)	Requirement that all applications provide a stimulating environment for play is not justified for applications with no residential content. Play should only apply to residential applications of more than six dwellings.	No change. The policy wording states that 'all new development <i>should</i> ...provide a stimulating environment for play'. It is not a requirement for all applications.
DP1	George Wimpey (Exeter) (313180 - 4370)	DP1 is progression from CS7 and complements national policy. Three changes suggested. Should refer to good design not 'high quality' design - consistent with CS7 and PPS1 para 33.	No change. High quality is considered particularly important in the context of South Hams.

Policy / paragraph	Organisation (& Representative Number)	Comment	SHDC Response
DP1 clause 1	George Wimpey (Exeter) (313180 - 4370)	Amend first para of DP1: 'All development will display good design which, in particular, respects...'	Policy wording changed in first sentence to include 'in particular' but no change to remaining part of sentence.
DP1 criteria 1c	George Wimpey (Exeter) (313180 - 4370)	Amend (c) put 'where appropriate' at the end of play. It will not always be appropriate for public spaces to be designed for play.	No change. The policy wording states that 'all new development <i>should</i> ...provide a stimulating environment for play'. It is not a requirement for all applications.
DP1 criteria 1e	George Wimpey (Exeter) (313180 - 4370)	Amend (e) to 'protect important local and strategic landmarks and buildings, and where possible enhances views and skylines'.	No change. The policy wording states that 'all new development <i>should</i> ...provide local and strategic...' It is not a requirement for all applications.
DP1	Totnes Town Council (182223 - 4371)	Totnes Town Council would like to see CABE Home Builders Federation 'Building for Life' criteria as the standard for the design quality of ALL new homes.	No change. This comment is more relevant to sustainable construction rather than high quality design policy.
DP2			
DP2	GOSW (315922 - 4368)	Some policies - policy wording appears to be onerous, prescriptive or lacking in clarity. However, exam process allows the Inspector to examine wording in detail, e.g. DP2 'conserve and enhance'	Policy wording clarified in the first sentence to include 'need to demonstrate how they conserve and/or enhance ...'
DP2 criteria 1b & 1e	South Devon AONB (182265 - 1094)	Supports DP2 ref to local distinctiveness (1b), protecting skylines and views avoiding light pollution, respecting unspoilt character and tranquillity (1e).	Support welcomed.
Para 3.28	South Devon AONB (182265 - 1094)	Supporting text: should include ref to cumulative impact of mast and tower structures; and sequential approach to the choice of sites.	Para inserted into supporting text.
Para 3.33, 3.36	South Devon AONB (182265 - 1094)	Coastal zones being revalidated - AONB Unit should be involved in this process. Change text in supporting text 'some development may seek to require a coastal location'. Para 3.36 in does not relate to coastal zone -	AONB Unit will be involved in the revalidation of Coastal Zones. Supporting text has been amended as suggested. Para 3.36 has been amended to include landscape character and coastal areas - so para remains in same position within the DPD.

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		relates to landscape character - move to follow 3.28.	
Para 3.28	South Devon AONB (182265 - 1094)	Change first sentence of para 3.28 'landscape character will also be appropriate for development on the edges of settlements.'	Supporting text amended to include impact of urban fringe developments in development boundaries on the landscape character.
Supporting text	South Devon AONB (182265 - 1094)	Support text - reinstate boxes with 'further guidance' and 'evidence requirements.'	Comment noted and amended accordingly.
Guidance list	South Devon AONB (182265 - 1094)	Support text 'further guidance' - include AONB Management Plans and Landscape Character Assessment.	No change. These are already included on the guidance list in the DPD.
Para 3.24	South Devon AONB (182265 - 1094)	1e: need to be more explicit about noise intrusion in relation to tranquillity. Para 3.24 '....and development which brings visual and noise intrusion into tranquil countryside and coastal areas.'	Sentence inserted into para 3.24.
DP2 clause 2	South Devon AONB Unit	There are currently no approved management plans for the South Hams coast.	The policy wording has been amended to refer to 'regional policy and local guidance'.
DP2 criteria 1a	Teignbridge District Council	Does it include all landscapes?	Yes, policy criteria 1a changed to 'identified landscape character areas'. The different types of landscape areas are identified in landscape guidance, as described in the supporting text.
DP2	Teignbridge District Council	Policy CS9 refers to landscape character areas rather than LDUs and Appendix 6 refers to Landscape Character Types. Need to clarify terminology.	Policy wording has been amended to 'identified landscape character areas' which is consistent with the Core Strategy policy wording. Supporting text has been amended to clarify terminology used and provide clearer justification.
DP2	Teignbridge District Council	CS9 refers to protecting character of undeveloped coast - policy should say same.	No change. Do not need to repeat Core Strategy policy.
Para 3.26	Teignbridge District Council	LDUs and LCTs flow across towns and villages as on App 6 map - so should apply in these areas not just in 'countryside.'	No change. Supporting text indicates that policy applies to the edge of settlements as well as in the open countryside.

Policy / paragraph	Organisation (& Representative Number)	Comment	SHDC Response
Para 3.26	Devon County Council (920)	Should apply to all areas including within development boundaries. ALL development proposals will need to reflect landscape character.	No change. Supporting text indicates that policy applies to the edge of settlements as well as in the open countryside.
DP2 clause 2	Devon County Council (920)	The Coastal Zone Policy should be a stand alone Policy. Should make clear there is presumption against development in undeveloped coastal zone unless it complies with criteria set out in the RSS policy CO1. Reference to development proposals in undeveloped coast against SMP is questionable and needs to be clarified.	No need for stand-alone policy as regional policy CO1 is sufficient. Regional policy is referenced in policy criteria and supporting text. However, need to have criteria in South Hams policy in order to draw designation on the Proposal Map. Forthcoming Shoreline Management Plan will be relevant when it is adopted, as well as other local guidance and RSS policy, but as SMP has not been adopted as yet, the policy wording has been amended to 'regional policy and local guidance'.
DP2 criteria 1d	Trustees of the Cann Estate (316333 - 1097)	Wording unduly restrictive. Point D amend to 'avoiding or effectively mitigating intrusion into the wider landscape...'	No change - landscape character is extremely important in South Hams for tourism, historically and environmentally, therefore the highest protection is required for the South Hams landscape. Applications will be assessed on a case by case basis.
DP2 clause 1	DPDS (182485 - 4367)	Qualification of 'detrimental' by wording 'significantly', 'seriously' or 'materially' is sought in order that judgements, in this case on impact of development on the wider landscape can be made in the context of the particular proposal. This is used in DP7d in relation to impact of development on the highway.	No change - this will vary in different places/landscapes and with different proposals - a judgement for development control.
DP3			
DP3	Devon County Council (920)	'Unacceptable impact' needs to be defined. 'Judged against the level of amenity accepted within the locality' will result in different standards being applied in different areas'	No change. Level of amenity accepted will be different in different places, e.g. rural and urban areas. Impacts will also be different depending on the size, type, mix of uses. It is a development management decision on a case by case basis using this policy. The main point is that the amenity of all residents should be protected from detrimental impact of new development.
DP3	Devon County Council (920)	Section 2 could be amended to include Residential and Neighbourhood amenity.	No change. This policy is specific to the protection of residential amenity of people living in the South Hams.
DP3	Trustees of the Cann Estate (316333 -	Point 2 should be deleted and criteria linked to point 1.	No change necessary.

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	1097)		
DP3	Midas Homes (316341 - 1128)	Level of amenity generally accepted within the locality' is imprecise and not justified.	No change. Level of amenity accepted will be different in different places, e.g. rural and urban areas. Impacts will also be different depending on the size, type, mix of uses. It is a development management decision on a case by case basis using this policy. The main point is that the amenity of all residents should be protected from detrimental impact of new development.
DP3	George Wimpey (Exeter) (313180 - 4370)	Unnecessary to include separate policy on residential amenity. There is no evidence in supporting text to creation of this policy	No change. Concern about the residential amenity from development has been raised as a local issue, in consultation responses and informal contact with the local community in the South Hams.
Para 3.37 & 3.38	George Wimpey (Exeter) (313180 - 4370)	Delete paras 3.37 and 3.38.	No change. This is supporting text for the policy.
DP3 clause 2	George Wimpey (Exeter) (313180 - 4370)	Amend part 2: policy should require the creation of good quality residential environments - would reflect national policy more.	No change. The policy is about protecting residential amenity rather than creating good quality residential environments. Creating good quality environments will be achieved through good design (DP1) and other development plan policies.
DP3	The Dartington Hall Trust (316336 - 4379)	Too vague - need to set out levels for amenity that are acceptable.	No change. Level of amenity accepted will be different in different places, e.g. rural and urban areas. Impacts will also be different depending on the size, type, mix of uses. It is a development management decision on a case by case basis using this policy. The main point is that the amenity of all residents should be protected from detrimental impact of new development.
DP4			
DP4	GOSW (315922 - 4368)	Some policies repeat higher level policy, e.g. DP4.	Some changes to avoid repeating higher level policy. These are set out in response to other comments below.
DP4	Environment Agency (182024 - 1202)	Support policies DP1, DP4, DP5, DP8.	Support welcomed.
Para 3.43	Environment Agency (182024 - 1202)	Rewrite 1st sentence 'the District faces a growing risk of flooding from rivers and the sea due to the effects of climate change, such as increased river flow and sea level rise'.	Supporting text (para 3.43) amended.
DP4	South Devon AONB (182265 - 1094)	Supports DP4 ref to locally sources materials (2).	Support welcomed.

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DP4	South Devon AONB (182265 - 1094)	Need to include 'development will attenuate surface run-off and incorporate SUDS wherever appropriate'.	No change. Covered by national planning policy PPS25 - no need to repeat national policy.
DP4 clause 4	South Devon AONB (182265 - 1094)	Wording should establish a presumption against new development on land subject to erosion (para 4).	Policy wording (4) changed for clarification to 'development should avoid or mitigate any risk from contaminated land, erosion or instability.'
Evidence list	South Devon AONB (182265 - 1094)	Supporting text: Construction Environmental Management Plans are required: provide supporting text to say what they should cover, what types or scales of development would trigger the requirement.	Text inserted in supporting text (under evidence list).
Para 3.39 - 3.41	Devon County Council (920)	Para 3.39, 3.40, 3.41 - wording unclear and should be amended.	Supporting text amended to provide clearer information (now paras 3.39 - 3.41).
DP4 clause 6	Devon County Council (920)	Include 'siting and orientation of the building to maximise passive solar gain where possible'.	New clause inserted into policy 'Buildings will be sited and orientated to maximise passive solar gain'.
DP4	Devon County Council (920)	Include criteria relating to low embodied energy levels; reduce use of natural resources, by using recycled material and minimising waste during construction.	No change. Minimising the use of materials, using recycled materials and minimising waste during construction is already within clause 2.
DP4	Devon County Council (920)	Development should achieve 100% Lifetime Home Standards and policy should ref 10% of new dwelling built to meet Wheel Chair Standards.	Clause deleted from policy (no South Hams evidence available to inform local policy). Local evidence would be required to support future changes in policy.
DP4 clause 7	Devon County Council (920)	Criteria 7: 10% target is difficult to relate to the RSS policy on renewable energy. Confusing and difficult to interpret.	Clause deleted from policy - RSS policy available (no South Hams evidence available to inform local policy).
DP4 clause 6	Devon County Council (920)	Criteria 6: raise sustainable construction on major development proposals (5/6 on strategic urban extensions).	Clause deleted from policy (no South Hams evidence available to inform local policy). Local evidence would be required to support future changes in policy.
DP4 clause 8	Devon County Council (920)	Criteria 8 is mechanism to deliver item 1 - 2 should be linked.	Clause deleted from policy (no South Hams evidence available to inform local policy). Local evidence would be required to support future changes in policy.

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DP4 clause 8	Millwood Homes (Devon) Ltd (197054 - 14320)	Criteria 8: Cost of building 25% of market housing to lifetime homes standards will increase build cost. Part M buildings regulations adequately cover disabled access.	Clause deleted from policy (no South Hams evidence available to inform local policy). Local evidence would be required to support future changes in policy.
DP4 clause 9	Millwood Homes (Devon) Ltd (197054 - 14320)	CHP: large scale development is not defined. CHP not always most efficient form of energy generation for site.	No change. Policy has 'where appropriate' within the text, so will not apply if it is not the most efficient way to deliver sustainable energy to a scheme.
DP4 clause 7	Midas Homes (316341 - 1128)	Energy efficiency of homes should be controlled via building regulations.	Clause deleted from policy - RSS policy available (no South Hams evidence available to inform local policy). Building regulations are used to control energy efficiency of homes.
DP4 clause 7	Midas Homes (316341 - 1128)	Criteria 7: should include the words 'where appropriate'. Also consideration should be given to off-site opportunities.	Clause deleted from policy - RSS policy available (no South Hams evidence available to inform local policy).
DP4 clause 9	Midas Homes (316341 - 1128)	Criteria 9: 'where appropriate' requires some form of clarification and that large scale requires some form of definition.	No change. 'Large scale' is defined in supporting text (para 3.49). 'Where appropriate' will be defined on a case by case basis when planning applications come in to the Council.
DP4 clause 8	South West RSL Planning Consortium (182450 - 1288)	Support policy. Amend point 8 - 25% Lifetime Homes: insert words 'where appropriate'.	Clause deleted from policy (no South Hams evidence available to inform policy). Local evidence would be required to support future changes in policy.
DP4 clause 8	DPDS (182485 - 4367)	Lifetime Homes supported but there is no substantive basis for the 25% target proposed in DP2 nor is any justification offered for the choice of the size threshold at which the requirement kicks in.	Clause deleted from policy (no South Hams evidence available to inform policy). Local evidence would be required to support future changes in policy.
DP4 clause 8	DPDS (182485 - 4367)	Suggested wording for criteria 8. All housing proposals will be encouraged to provide a proportion of dwellings to Lifetime Homes standard, not only to meet demand but also, particularly in larger proposals (10 or more units), to assist	Clause deleted from policy (no South Hams evidence available to inform policy). Local evidence would be required to support future changes in policy.

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		development of mixed communities. A district wide provision of (25%) all new dwellings is sought but individual site contribution will depend on the characteristics of the site and the proposed development.'	
DP4 clause 4	George Wimpey (Exeter) (313180 - 4370)	To ensure consistency with national planning policy, reword DP4(4) 'development <i>proposals</i> should demonstrate that there is no <i>unacceptable</i> risk to occupants or others from ...'.	No change necessary.
DP4 clause 6	George Wimpey (Exeter) (313180 - 4370)	Remove (6). RSS Policy G (as proposed to be modified) has removed specific code levels and standards. Levels are being set nationally and if LPA want to set levels then LPA needs to demonstrate this. Evidence base does not provide adequate justification for higher than national level - having regard to feasibility and viability. Delete policy criteria.	Clause deleted from policy (no South Hams evidence available to inform policy). Local evidence would be required to support future changes in policy.
DP4 clause 7	George Wimpey (Exeter) (313180 - 4370)	(7) 10% of predicted carbon emissions. Detailed wording is inconsistent with wording of emerging RSS policy RE5 - it requires at least 10% of energy to be generated from decentralised and renewable or low carbon energy sources. There is insufficient evidence to support the target in policy that requires energy generation to offset carbon emissions and specifies the use of micro-renewable technology to achieve this. Delete policy criteria or amend to be consistent with policy RE5 of the emerging RSS.	Clause deleted from policy - RSS policy available (no South Hams evidence available to inform policy). Local evidence would be required to support future changes in policy.

Policy / paragraph	Organisation (& Representative Number)	Comment	SHDC Response
DP4 clause 8	George Wimpey (Exeter) (313180 - 4370)	(8) Insufficient evidence to include target of 25%. Delete policy criteria.	Clause deleted from policy (no South Hams evidence available to inform policy). Local evidence would be required to support future changes in policy.
DP4 clause 2	The Dartington Hall Trust (316336 - 4379)	Locally sourced materials may not be most sustainable materials.	No change. Policy suggests that locally sourced material be used 'where possible'.
DP4 clause 6	The Dartington Hall Trust (316336 - 4379)	Evidence at other developments show that BREEAM very good can only be met with public subsidy. Is only possible within major conurbations of the South West. Would result in economic loss.	Clause deleted from policy (no South Hams evidence available to inform policy). Local evidence would be required to support future changes in policy.
DP4 clause 7	The Dartington Hall Trust (316336 - 4379)	Not all sites suitable for on site energy generation. Maybe be more effective to require contribution to larger schemes.	Clause deleted from policy (no South Hams evidence available to inform policy). Local evidence would be required to support future changes in policy.
DP4 clause 8	The Dartington Hall Trust (316336 - 4379)	Lifetime Homes Standards take up a large footprint of development and will impact on viability and density.	Clause deleted from policy (no South Hams evidence available to inform policy). Local evidence would be required to support future changes in policy.
DP4	The Dartington Hall Trust (316336 - 4379)	Policy too onerous - sustainability needs to be viable.	Various criteria have been deleted from the policy (no South Hams evidence available to inform policy).
DP4 clause 6	Totnes Town Council (182223 - 4371)	LPA should achieve highest possible Code for Sustainable Homes level 4 and implement over time.	Clause deleted from policy (no South Hams evidence available to inform policy). Local evidence would be required to support future changes in policy.
Para 3.51	Totnes Town Council (182223 - 4371)	10 ha or 300 dwellings' - CHP should be for all new dwellings.	No change. (No South Hams evidence available to inform policy). Local evidence would be required to support future changes in policy.
DP5			
DP5 criteria 1b	GOSW (315922 - 4368)	Policy approach to SAC/SPA designation is not clear.	Policy approach for SAC/SPA is clarified by new criterion in DP5: 'providing SACs and SPAs with the highest level of protection and enhancement'.

Policy / paragraph	Organisation (& Representative Number)	Comment	SHDC Response
DP5	Environment Agency (182024 - 1202)	Support policies DP1, DP4, DP5, DP8.	Support welcomed.
DP5	Natural England (182057 - 1252)	General amendments to supporting text.	Amendments made to supporting text.
DP5 criteria 1b	Natural England (182057 - 1252)	DP5 1b should read: 'providing on-site mitigation for both species and habitats where possible or off-site compensation for the loss of any habitats or species through offsetting actions.	Policy criteria changed to 'providing on-site mitigation for both species and habitats where possible or off-site compensation for the loss of any habitats or species', to provide clearer wording, but it does not change the meaning of the policy.
DP5 clause 2	Natural England (182057 - 1252)	DP5 2: on SSSIs is not a clear statement that follows the advice given in PPS9 para 8. (para 8 is provided in the letter). The policy does not meet the strength requested in para 8 even though wording similar. A clearer statement on importance of SSSIs is required, that 'in principle', they will not be damaged other than in exceptional circumstances.	Policy criteria (2) has been amended to reflect Natural England's comments which provides a clearer statement, supporting national policy, and makes reference to SSSIs which are mapped on the Proposal Map.
DP5 clause 3	Natural England (182057 - 1252)	DP5 3: contains NNRs - they are situated within SSSIs and therefore do not need separate criteria.	No change. NNRs may not always correspond with SSSI designations.
DP5	South Devon AONB (182265 - 1094)	Supports DP5.	Support welcomed.
DP5 1b & supporting text	Torbay Borough Council	Natura 2000 (N2K) sites have not been specifically identified. South Hams SAC is afforded the highest level of protection under government and RSS. Need to cross-reference with CS10. Need to refer in policy to these sites to 'clearly identify hierarchy of designated biodiversity sites' required by PPS9 and RSS ENV1.	Policy approach for SAC/SPA is clarified by new criterion in DP5: 'providing SACs and SPAs with the highest level of protection and enhancement'.

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DP5	Torbay Borough Council	Policy does not identify 'areas for restoration or new habitat creation where they can help to meet regional targets' PPS9 para 5ii.	No change. This DPD provides development policies for biodiversity. Identifying which areas need restoration or new habitat creation should be within evidence base and is a strategic issue. It would also require further evidence.
DP5	Trustees of the Cann Estate (316333 - 1097)	Micro-renewable schemes' should be amended to read' renewable energy schemes' to ensure consistency with national guidance.	No change. Response relevant to sustainable construction policy.
DP5 criteria c	Trustees of the Cann Estate (316333 - 1097)	Criterion c: amend to 'providing for the management of habitats and species <i>affected by the proposed development</i> '.	No change necessary.
Proposal Map	George Wimpey (Exeter) (313180 - 4370)	Para 3.52-3.61, DP5 and Appendix 11 are not clear. Appendix 11 illustrates only some features in DP5 and supporting text. Appendix 11 shows 'Strategic Nature Areas' not mentioned in DP5 and paras 3.52 - 3.61, 'Strategic Nature Areas' reflect the 'South West Nature Map in Appendix 1 of RSS. DP5 makes no reference to them.	Proposal Map has been updated to show all designations in policy.
DP5 clause 3	George Wimpey (Exeter) (313180 - 4370)	DP5 should be amended to make clear the approach to be adopted to SNAs and the justification for their inclusion as part of the DPD.	Inserted reference to Strategic Nature Areas (SNAs), which reflects Nature Map and policy in RSS.
DP5 criteria 1b	Woodland Trust (315416 - 3722)	DP5 should contain absolute protection for ancient woodland without caveat. 1(b) do not accept the 'no net loss' concept of providing compensatory habitats elsewhere for those lost. In relation to ancient woodland it is impossible to replace ancient woodland as this habitat has evolved over centuries	No change. Ancient woodland has protection at national level.
DP5	Woodland Trust (315416 - 3722)	Pleased to see commitment to conserving, enhancing and restoring habitats in BAPs.	Support welcomed.

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DP5	Woodland Trust (315416 - 3722)	Biodiversity Strategy for England states that the Government will 'take measures to prevent loss or damage to ancient woodland and trees, and their uniquely rich biodiversity, from development'.	No change. Ancient woodland has protection at national level. The protection of non-statutorily protected trees will be assessed on a site by site basis.
DP5 criteria 1c	Woodland Trust (315416 - 3722)	SW Regional Woodland and Forestry Framework 2005 (FC, 2005) contains under Objective N1 A action 'Ensure ancient woodland is protected against development through the planning system'.	No change. Ancient woodland has protection at national level.
DP5	Totnes Town Council (182223 - 4371)	Clarify and clearly state a criterion for the 'benefits' - of the development outweighing the identified biodiversity or geological value of the site.	This cannot be defined in policy and will be assessed on a site by site basis.
DP6			
DP6	English Heritage (182272 - 1266)	Cross-referencing between policies in DPD could be explored more in detail. Suggestions provided to link DP6 to DP1, DP2, DP7, DP15.	Suitable cross-referencing provided in supporting text.
Guidance list	English Heritage (182272 - 1266)	Supporting text - background report to be added to list of 'other strategies' by EH 'Heritage Counts: The State of England's Historic Environment'.	Supporting text amended - document added to list of guidance available.
Appendix 8	English Heritage (182272 - 1266)	A wide range of detailed monitoring and other requirements suggested.	No change. The extensive suggestions made by English Heritage could not be easily used or measured within a DPD monitoring framework.
DP6	South Devon AONB (182265 - 1094)	Supports DP6.	Support welcomed.
DP6 criteria 2 & 4	Harrison Sutton Partnership (922 - 315975)	A non-listed historic building' is impossible to define - as is 'architecturally important building'. This policy should relate to 'listed buildings only'.	Planning permission is not required for the demolition of a non-listed building, unless it lies within a Conservation Area. Therefore criteria relating to the demolition of a non-listed building has been deleted (criteria 2), and amended (criteria 4). Criteria 4 relates to buildings within Conservation Areas in line with PPG15.

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DP6 criteria 2a	National Trust (315963 - 1104)	Suggested revised and additional wording to the policy to criteria 2a 'of the building'.	(2a) Minor amendment made to policy to include 'of the building' to add clarity to the criteria
DP6	National Trust (315963 - 1104)	Suggested revised and additional wording to the policy relating to the protection of views.	No change. There is policy criteria in DP1 relating to the protection of views. This will apply to Conservation Areas, historic parks and gardens, and other important views.
Proposal Map Appendix 10	National Trust (315963 - 1104)	Appendix 10 (and Proposal Map) - Great Mew Stone needs to be annotated in green as Historic Park and Garden, as well as Church Wood Walk between Langdon Court Hotel and the sea.	Proposal Map and Appendix 10 have been updated to show all designations in policy.
DP6 clause 1	George Wimpey (Exeter) (313180 - 4370)	DP6(1) is poorly worded and repetitive. Would be more clear and reflect national policy if 'The design, siting, bulk, height, materials, colours and visual emphasis of proposed new development should take into account local context and in particular the character and appearance of the historic environment'.	Criteria (1) changed to provide clearer policy wording.
DP6 clause 1	George Wimpey (Exeter) (313180 - 4370)	Reference to building techniques would be more appropriate to later parts of DP6 - that refer to development involving listed buildings. The inclusion within this part of the policy is not justified.	No change. 'Materials' is quoted in criteria 1, which relates to all historic environments. Building materials relating to listed buildings is also within PPG15 national planning policy.
DP6 clause 2 & 4	The Dartington Hall Trust (316336 - 4379)	Extension of policy to non-listed historic or architecturally important building goes beyond what is reasonable and goes beyond national policies. Remove reference to unlisted historic and architecturally important buildings.	Planning permission is not required for the demolition of a non-listed building, unless it lies within a Conservation Area. Therefore criteria relating to the demolition of a non-listed building has been deleted (criteria 2), and amended (criteria 4). Criteria 4 relates to buildings within Conservation Areas in line with PPG15.
DP6	The Dartington Hall Trust (316336 - 4379)	There should be flexibility to allow alterations, extension, partial demolition and conversion to allow buildings to be economically viable.	No change. The policy criteria are in line with national policy. Alterations, extension, partial demotion and conversion are allowed to buildings, but the criteria should be met to ensure the character and appearance of the building is retained. PPG15 also applies.

Policy / paragraph	Organisation (& Representative Number)	Comment	SHDC Response
DP6	Totnes Town Council (182223 - 4371)	Does not state how it will be 'conserved and enhanced'.	No change. It is not the role of the DPD to set this out. Such matters are dealt with through Conservation Area Appraisals and design guides.
DP7			
Guidance list	Devon County Council (920)	Thresholds should be related to DCC adopted policy and thresholds. Other material 'Highways in residential and commercial estates design guide', no need for thresholds - dealt with in DfT's 'Guidance on Transport Assessments'.	Guidance from DCC included in guidance list in supporting text.
Para 3.80	Devon County Council (920)	Para 3.80: Travel Plans are integral to Travel Assessments. Should state permission will not be granted until the Highway Authority has accepted the travel plan in accordance with the guidance.	Text added to supporting text.
DP7 clause 2	Millwood Homes (Devon) Ltd (197054 - 14320)	Thresholds are not sufficient to guide developers. Should include maximum car parking figure.	No change. Evidence has not been collated to provide for thresholds beyond the national guidance, therefore can not provide a maximum car parking figure.
DP7	Trustees of the Cann Estate (316333 - 1097)	Flexible approach to car parking supported.	Support welcomed.
DP7	Highways Agency	Supports policy and 1a.	Support welcomed.
Supporting text	Highways Agency	Support the need for Transport Assessment and threshold. Include reference to DfT 'Guidance on Transport Assessment' and a separate threshold for retail proposals (A1, A2, A3, A4 and A5) which can require a Transport Statement for proposals as small as 250 sqm.	Supporting text changed to include guidance. No change to provide separate threshold for retail proposals - no local evidence available to support this threshold.
Para 3.74	Highways Agency	Para 3.79 - Agency would wish to see reference made to Strategic Road Network (SRN) A38 in terms of assessing the impact of development.	Para 3.79 amended to include ref to strategic (and local) roads when assessing the impact of development.

Policy / paragraph	Organisation (& Representative Number)	Comment	SHDC Response
Para 3.80	Highways Agency	Para 3.80: major residential developments will require a Travel Plan as well as non-residential developments.	Para 3.80 amended to include ref to TP and major residential developments.
Guidance list	Highways Agency	Page 34 'relevant planning policy - 'Circular 02/07 Planning and the Strategic Road Network', DfT 'Guidance on Transport Assessment' and guidance...DfT Good Practice Guidelines: Delivering Travel Plans through the Planning Process (2009).	List of guidance updated in supporting text.
DP7	Devon Countryside Access Forum (316101 - 1219)	Supports policy.	Support welcomed.
Para 3.73	Devon Countryside Access Forum (316101 - 1219)	Include health benefits from the use of sustainable transport.	Text changes to supporting text (para 3.73).
DP7	South West RSL Planning Consortium (182450 - 1288)	Support flexible approach on a site by site basis.	Support welcomed.
DP7 criteria 1c	George Wimpey (Exeter) (313180 - 4370)	(1e) is unclear - what is meant by 'development should not detract or conflict with the function of the road'? All new developments should have regard to the appearance and function of streets (including roads) as set out in the Manual for Streets? Amend 1e for clarity.	Policy wording (1e) changed to 'transport function of the link' to provide clarity. This policy is about the transport function rather than the appearance of streets, which is covered in the design policy DP1.
DP7	George Wimpey (Exeter) (313180 - 4370)	DPD should provide further detail on the level of residential parking that is sought.	No change. There is no local evidence available to go beyond the parking standards set out in PPG13, therefore this DPD can not provide South Hams specific parking standards relating to residential parking standards.

Policy / paragraph	Organisation (& Representative Number)	Comment	SHDC Response
DP7	Totnes Town Council (182223 - 4371)	LPA should not focus new development to the larger settlements where access to facilities and services can be maximised. Development should enhance rural nature of South Hams and not overload larger settlements	No change. This is strategic decision and Core Strategy already sets out the spatial strategy policies for the district, which directs the focus of new development to larger settlements and strictly controls development in the countryside
DP8			
General	GOSW (315922 - 4368)	A few policies, e.g. DP8, include standards or thresholds for developments. Need to provide evidence for Inspector to support threshold and standards.	Evidence relevant to thresholds has been referenced within the supporting text. Where there is no supporting evidence, relevant to the South Hams, the policy criteria has been deleted (see individual policies).
DP8	Environment Agency (182024 - 1202)	Support policies DP1, DP4, DP5, DP8.	Support welcomed.
DP8 clause 1	GOSW (315922 - 4368)	Some policies - policy wording appears to be lacking in clarity. However, exam process allows the Inspector to examine wording in detail.	Criteria (1): policy changed to provide clarity. Original criteria (b) (in the pre-submission DPD) have been moved to the introductory sentence. All proposals will now have to meet the introductory sentence in criteria (1). All proposals will also have to meet Criteria (a) OR (b), which replace the word 'and'. Criteria 1a: policy wording 'current or future' has been deleted to provide clearer policy wording.
DP8 clause 1	South Devon AONB (182265 - 1094)	Para 1, first sentence. Wording should be clarified to that it is protected from loss by conversion.	No change. Policy states that 'any loss of these uses will only be permitted where...' This loss relates to conversion and new development.
DP8	Millwood Homes (Devon) Ltd (197054 - 14320)	Two units is too low a threshold which will make development unviable.	No change. The South Hams Open Space, Sport and Recreation SPD provides evidence that 'all new development has the potential to contribute to the need for open space, sport and recreation and therefore ideally section 106 contributions will be sought from the provision of one house upwards. However, due to administration of collating funds, the Council raised the threshold to 2 units.
DP8 Clause 3	Millwood Homes (Devon) Ltd (197054 - 14320)	Not seen evidence that the Council have undertaken a public open space audit - so how can Council justify requirements within policy?	No change. South Hams Public Space Strategy & Supplementary Planning Document Open Space, Sport and Recreation - sets the threshold and identifies areas of deficiencies.

Policy / paragraph	Organisation (& Representative Number)	Comment	SHDC Response
DP8 clause 3	Harrison Sutton Partners hip (922 - 315975)	How is it possible to provide public open space on small infill sites as low as two dwellings? Suggest five or more and it should exclude apartments.	No change. All new dwellings (two or more) will be expected to provide public open space. As the policy indicates, where it cannot be provided on site, off-site provision or financial contribution towards it will be sought.
DP8 clause 3	Trustees of the Cann Estate (316333 - 1097)	Reference to commercial development should be removed to ensure that policy is reasonable.	No change. Adopted SPD sets out requirements.
DP8 clause 3	Midas Homes (316341 - 1128)	Open space and facilities should be determined on the basis of local need. PPS17 paras 6 & 7. Need should form part of the evidence base to support policy. Developments should only be required to contribute to provision of open space if there is a shortfall.	No change. Adopted SPD sets out requirements.
DP8	Devon Countryside Access Forum (316101 - 1219)	Supports policy.	Support welcomed.
DP8	Devon Countryside Access Forum (316101 - 1219)	Include health benefits of public open space and recreation.	No change necessary.
DP8 criteria 1c	South West RSL Planning Consortium (182450 - 1288)	Support policy. Amend part c to reflect Core Strategy's objective of providing affordable housing. Release poorer quality areas of open space for affordable housing schemes. Amend part (c) 'the proposal will result in a greater net benefit to the community, including the provision of additional affordable housing, or the provision of suitable alternative public open space, sport or recreation areas nearby'.	No change. There is a need to retain public space in the South Hams. Therefore change of use from public space to affordable housing cannot be part of this policy where public space is of poor quality. There may be a need to improve this public space for the local community.

Policy / paragraph	Organisation (& Representative Number)	Comment	SHDC Response
DP8 criteria 1b	South West RSL Planning Consortium (182450 - 1288)	Part 3 - does not comply with Circular 05/05 planning obligations - this states that any planning contributions must be 'necessary to make the proposed development acceptable in planning terms' and 'fairly and reasonably related in scale and kind to the proposed development'. Currently policy does not take into account the existing capacity of open space facilities in the surrounding area. Contributions must be based on an up-to-date strategy which identifies deficiencies - it cannot be set at an arbitrary threshold across the district.	No change. PPG17 (para 33) states that Local Authorities will be justified in seeking planning obligations where the quantity or quality of provision is inadequate or under threat or where new development increases local need'. South Hams Open Space, Sport and Recreation SPD provides evidence that 'all new development has the potential to contribute to the need for open space, sport and recreation.
DP8 criteria 1b	South West RSL Planning Consortium (182450 - 1288)	Should exempt affordable housing schemes from making contributions towards open space.	No change. The delivery and viability of affordable housing schemes should be considered case by case against adopted policies and SPD.
DP8	DPDS (182485 - 4367)	Private playing pitches are not included on the proposals map, these facilities can be withdrawn from use at any time placing them beyond the intent of policy DP8.	No change necessary.
DP8 clause 1 & paras 3.86 & 3.87	George Wimpey (Exeter) (313180 - 4370)	Paras 3.86 and 3.87 identify the potential loss of existing open spaces can be acceptable, but approach not followed in DP8 (1) which require all cases where such development is proposed that there should be a proven excess of provision in the local area. Amend policy to allow positive redevelopment of existing open space to occur, where this would secure overall benefits, including the provision of replacement provision where necessary.	No change. The policy is about protection and retaining open spaces, therefore the policy resists the loss of these spaces. However, it does allow that where other uses may provide a high demonstrable public benefit, then this use may be provided. This includes uses such as other community uses.

Policy / paragraph	Organisation (& Representative Number)	Comment	SHDC Response
DP8 clause 3	George Wimpey (Exeter) (313180 - 4370)	(3) makes no reference to specific standards for open space provision expected. Policy should state clearly what standards are to be used. Fields in Trust guidance for Open Space? Strategy for open space set out in the South Hams Public Spaces Strategy (this only runs to 2012).	No change. South Hams Public Space Strategy & Supplementary Planning Document Open Space, Sport and Recreation - set the standards, threshold and identifies areas of deficiencies.
DP8 clause 3	George Wimpey (Exeter) (313180 - 4370)	(3) does not provide effective or justified policy. Not adequate to rely on standards set out within the Council's SPD or strategy document. SPD states it is likely to be reviewed when DPD is prepared.	No change. South Hams Public Space Strategy & Supplementary Planning Document Open Space, Sport and Recreation - set the standards, threshold and identifies areas of deficiencies.
DP8	The Dartington Hall Trust (316336 - 4379)	Over-restrictive planning policy is unreasonable to state ALL public open space etc is to be protected. There is no public open space audit as evidence base - therefore how can it be justified?	No change. South Hams Public Space Strategy & Supplementary Planning Document Open Space, Sport and Recreation - set the standards, threshold and identifies areas of deficiencies.
DP8 clause 2	The Dartington Hall Trust (316336 - 4379)	Point 2 will clash with national policies on density.	No change. It is important to provide for public space, sport and recreation and should not have an impact on density.
DP8	The Dartington Hall Trust (316336 - 4379)	Point 3 - should be subject to viability tests and requirements. Exemption should be applied for affordable housing.	No change. All new residential development (including affordable housing) creates an extra need for public space.
DP8 para 3.84	The Dartington Hall Trust (316336 - 4379)	Opening statement should be clear that this policy does not apply to private land which is not 'public' open space.	No change. Policy is worded 'public open space...'
DP8	Woodland Trust (315416 - 3722)	Pleased all public open space, sport and recreation areas will be protected. Support (4) - ongoing management.	Support welcomed.
DP8 para 3.84	Woodland Trust (315416 - 3722)	Para 3.84: would like to implications of Green Infrastructure into policy wording - requirement for	No change. Green Infrastructure strategy on a district wide level is a strategic issue and should be considered in future revisions of the Core Strategy or area based DPDs.

Policy / paragraph	Organisation (& Representative Number)	Comment	SHDC Response
		specific district wide Green Infrastructure strategy.	
DP8 para 3.85	Woodland Trust (315416 - 3722)	Para 3.85: supported. Need to make specific reference to native woodland - can deliver for landscape and biodiversity, quality of life and local economy.	No change. Woodlands do form part of Green Infrastructure, and can be found in many of the green areas listed such as parks, natural spaces, play areas etc.
DP8 clause 2	Woodland Trust (315416 - 3722)	(2) - would like to see accessible woodland considered as a driver for green space provision.	No change. Woodlands do form part of Green Infrastructure, but the protection of landscape, woodland and biodiversity is covered by DP2 and DP5.
DP8 clause 2	Woodland Trust (315416 - 3722)	Woodland Trust has developed Woodland Access Standard for local authorities endorsed by Natural England. Provides access standards. Would like to see the Development Policies DPD use the Woodland Access Standard as a tool in protecting and creating new public open green space.	No change. Woodlands do form part of Green Infrastructure, but the protection of landscape, woodland and biodiversity is covered by DP2 and DP5.
DP8 clause 2	Totnes Town Council (182223 - 4371)	Remove 'generally' from the statement.	Word 'generally' omitted from criteria (2) to provide clarity in policy wording.
DP9			
DP9	South Devon AONB (182265 - 1094)	Supports DP9: especially protection of local facilities from loss by conversion to other uses.	Support welcomed.
DP9 clause 1	Devon County Council (920)	Delete the word 'important' in 1, as any enhancement or new provision should be allowed provided that any proposal accords with the remainder of the policy.	Agree. Policy wording (1) amended to delete 'important'.
DP9	Highways Agency	Supports provision of local facilities at an appropriate scale.	Support welcomed.
DP9	Totnes Town Council (182223 - 4371)	DP9 conflicts with aim of DP7 to maximise services in larger settlements. This would create unsustainable settlements which would lose their local facilities.	No change. DP9 aim is to retain local facilities to promote sustainable communities in the South Hams. It is not in conflict with DP7.
DP10			

Policy / paragraph	Organisation (& Representative Number)	Comment	SHDC Response
DP10	Highways Agency	Support this policy as long as proposals are well related to community services and facilities and no adverse impact on SRN.	Support welcomed. Policies relating to impact on roads are covered by DP7. Policy criteria 1b states development should be 'well related to community services and facilities'.
DP10 criteria 1a	Friends, Families and Travellers (316328 - 4377)	Delete (a). Circular 1/2006 p22 clearly states G&Ts are nomadic so may not have local connections.	No change. Criteria (a) does not relate to 'local connections' - it relates to whether there is a need for Gypsy and Traveller sites in the district.
DP10 criteria 1d	Friends, Families and Travellers (316328 - 4377)	Criteria (d) delete 'and the landscape' and add 'unduly before harm. Any development could be turned down on these issues and have an impact.	Criteria (d): 'and the landscape' has been deleted as landscape is covered by the landscape policy DP2. No change to rest of policy as it is important to protect residential amenity.
DP10 criteria 1e	Friends, Families and Travellers (316328 - 4377)	Criteria (e): delete 'harm' and replace with 'unduly impact on'. Any development could be turned down on these issues and have an impact.	No change. It is important to ensure the interests of agriculture and forestry industries.
DP11			
DP11	GOSW (315922 - 4368)	Some policies - unnecessarily negative wording, e.g. DP11.	Policy wording changed to be more positive - 'should only' replaced by 'will'.
DP11	Devon County Council (920)	Need to take account of viability constraints rather than rigid approach to applying housing needs.	No change. All policies and 'other relevant local evidence' are taken into account when processing a planning application. Viability and delivery, as well as housing mix, is considered when granting planning permission, but the LDF must promote a mix of housing to reflect the need in the district.
DP11	Millwood Homes (Devon) Ltd (197054 - 14320)	For clarity, reference should be made to adopted affordable housing DPD as main guide on affordable housing.	No change. Affordable Housing DPD is listed within related planning policy within the supporting text.
DP11	Harrison Sutton Partnership (922 - 315975)	Policy should not define mixture, tenure and size of houses. Developers should be able to define what makes the site viable.	It is important that planning policy does shape the housing mix, tenure and size of dwellings to meet the housing needs of the district. This policy helps to shape this. The Council also recognises the need for sites to be viable for developers, which is another consideration.

Policy / paragraph	Organisation (& Representative Number)	Comment	SHDC Response
DP11	South West RSL Planning Consortium (182450 - 1288)	Proposed policy wording for strategic and non-strategic sites: 'Strategic residential and mixed-use developments sites should only be permitted where they provide an appropriate mix of dwelling types, tenures and sizes. This should reflect the identified local need across South Hams and demand in the local area. They may include flats, small family sized units and housing suitable for older people, demonstrated by the latest Housing Market Needs Assessment and other local evidence. On non-strategic sites, development will only be permitted for residential or mixed use schemes which contribute to a mixed and balanced community. Consideration will be given to the most up-to-date Housing Market Assessment, demand in the local market, the existing mix of housing types and other local evidence.'	No change. Policy states that 'need' is to be demonstrated by the latest Housing Market Needs Assessment and other local evidence.
DP11	George Wimpey (Exeter) (313180 - 4370)	First sentence should be amended to read 'This should reflect the identified need in South Hams, and may include flats, small family sized units and housing suitable for older people, taking account of the Councils latest Housing Market Needs Assessment <i>and other sources of relevant information.</i> '	Text changes to policy to include 'and other local evidence' to match wording in PPS3 para 22.
DP11	George Wimpey (Exeter) (313180 - 4370)	Ensure compliance with paras 22 and 23 of PPS3 - relates to achieving a mix of housing.	The supporting text provides information from the HMNA in line with para 22 of PPS3. More detailed information is available within the HMNA and/or through discussions with the local authority.
DP11	Totnes Town Council (182223 - 4371)	Does 'local' refer to the South Hams or to the larger settlements/rural settlements?	No change. Local can be applied to either South Hams or specific area within South Hams - as identified in the HMNA and other local evidence.

Policy / paragraph	Organisation (& Representative Number)	Comment	SHDC Response
DP12			
DP12	South Devon AONB (182265 - 1094)	Supports DP12, especially protection of holiday accommodation from loss by conversion to other uses.	Support welcomed.
DP12 clause 3	Harrison Sutton Partners hip (922 - 315975)	Impossible for small hotels or guest houses to be changed back to residences. There should be an easier two way flow from house to commercial to encourage the small operators to open these family run guest houses and hotels.	No change. Para 3 of this policy seeks to retain all tourist development including holiday accommodation, but allows changes of use if there is no proven demand for the facility and it can no longer make a positive contribution to the economy.
DP12 criteria 1a	Midas Homes (316341 - 1128)	Policy has little regard to the rural nature of the area and fails to consider why people choose to visit a rural area - visitors want to stay in the countryside. Critical issue to be considered is not car borne sustainability but overall sustainability of projects and matter of visual impact on the valued countryside. Criteria 1a will always be used to override the other criteria in the policy.	CS12 Tourism in the Core Strategy already provides the hierarchy of locations for tourism development. Criterion (1a) supports this hierarchy and then provides further policy guidance to support the Core Strategy policy.
DP12	Highways Agency	Supports policy and point 1a. Should include that sites are accessible by means of travel other than private car and that this should be demonstrated through the provision of a Travel Plan.	Support welcomed. Travel impacts and provision of Travel Plans for this type of development are covered in policy DP7, therefore no need to repeat this criterion in each other policy
DP12 criteria 2c	Bendalls Leisure Limited	Criterion (2c) 'seek to re-use an existing building' is too vague and could be read to prohibit new buildings and facilities in the countryside. Clause does not properly reflect national and regional planning guidance for rural areas in PPS7 and RSS policy TO1.	Policy criterion 2c has been deleted as it unnecessarily repeats policy DP15 (2a), which provides a clear strategy for rural areas.

Policy / paragraph	Organisation (& Representative Number)	Comment	SHDC Response
DP12 criteria 2c	Bendalls Leisure Limited	Clause 2c is not consistent with clause 2a of policy DP15 which states all dev in countryside should make use of suitable existing buildings...'. 2c should read as 'make use of suitable existing buildings or previously developed land before proposing new buildings or development of greenfield land'.	Policy criteria 2c has been deleted as it unnecessarily repeats policy DP15 (2a), which provides a clear strategy for rural areas.
DP12 criteria 2c	Dartmouth Golf and Country Club	2c 'seek to reuse an existing building' is too vague and could be seen to prohibit new buildings and facilities.	Policy criteria 2c has been deleted as it unnecessarily repeats policy DP15 (2a), which provides a clear strategy for rural areas.
DP12 criteria 2c	Dartmouth Golf and Country Club	2c does not properly reflect national and regional planning guidance for rural areas (PPS7 and RSS policy TO1)	Policy criteria 2c has been deleted as it unnecessarily repeats policy DP15 (2a), which provides a clear strategy for rural areas.
DP12 criteria 2c	Dartmouth Golf and Country Club	Clause 2c is not consistent with clause 2a of policy DP15 which states all dev in countryside should make use of suitable existing buildings...'	Policy criteria 2c has been deleted as it unnecessarily repeats policy DP15 (2a), which provides a clear strategy for rural areas.
DP12	Mr Richard Johnston (314872 - 4372)	Would discourage older people with large house filling rooms with B&B, i.e. become, in effect, a guest house if this act then precludes them from selling their property as a private house. The same would apply for the new conversion of large houses into country house hotels.	No change. Policy concerned with managing and retaining existing stock of tourist accommodation, and conversion of large hotels/B&Bs into residential properties. This is an important issue for the South Hams and therefore all tourist accommodation needs to be retained.
Para 3.116	Mr Richard Johnston (314872 - 4372)	Viability test would be different for someone who has run guest house / hotel for many years compared to someone who has just taken over an existing business. It would be harder for the former to justify change of use under these new proposals.	No change. Viability test for any tourist or leisure development will be the same.
Para 3.116	Mr Richard Johnston (314872 - 4372)	Exclude this clause or limit it to purpose built hotels.	No change. Policy concerned with all types of tourist and leisure facilities, including holiday accommodation, therefore viability test required for all types of holiday/tourist facilities.

Policy / paragraph	Organisation (& Representative Number)	Comment	SHDC Response
DP13			
Para 3.120	Environment Agency (182024 - 1202)	Flooding issues relating to caravans and campsites 'high vulnerable' PPS25 should be reflected in this section and added to reasons for not considering permanent residential use in 3.120.	No change. All development is assessed against national policy in PPS25 for flooding. There is no need to repeat national policy in this policy.
DP13	South Devon AONB (182265 - 1094)	Supports DP13: especially prohibition of new sites in the AONB and undeveloped coast, and linking existing sites to securing overall environmental gain.	Support welcomed.
DP13	South Devon AONB (182265 - 1094)	Loss of touring sites to permanent sites in supporting text. Important but not followed through in the wording of policy DP13.	No change necessary. Clause 1 states 'alterations to existing sites should only be permitted....they would meet a demonstrable need'.
DP13 criteria 1d	Highways Agency	Supports policy and point 1d. Policy should make reference to SRN as well as the local road network.	Policy wording changed to provide clarity.
DP13 criteria 1e	Bendalls Leisure Limited	Criteria 'e' is not achievable with a new site and with the very best existing sites probably not achievable where an extension or alteration is proposed. Change DP13 (2) to 'criteria a-d' not to criteria a-e' in DP13(1).	No change necessary. The South Hams is an environmentally sensitive area, which needs to be protected.
DP13 criteria 2e	Bendalls Leisure Limited	DP13(2) would not accord with national and regional policy (PPS7 para 38) and RSS policy TO1. Criterion (e) is not achievable with a new site and with the very best existing sites probably not achievable where an extension or alteration is proposed.	No change necessary. The South Hams is an environmentally sensitive area, which needs to be protected.
DP14			
DP14	South Devon AONB (182265 - 1094)	Supports DP14.	Support welcomed.

Policy / paragraph	Organisation (& Representative Number)	Comment	SHDC Response
DP14 criteria 1c & 1d	South Devon AONB (182265 - 1094)	Support protection of marine employment sites. But need to change policy slightly (1c) to 'the nature of the services provided at the site are not of strategic importance to the wider economy and can be met more suitably elsewhere'.	Criterion 1c is unchanged. However, new criteria 1d inserted into policy. This strengthens the protection of employment uses, such as marine employment sites, which are of strategic importance to the wider economy.
DP14 clause 2	Devon County Council (920)	Item 2: compatible mixed uses should be secured including an element of appropriate employment provision.	No change. Whether uses are compatible will be assessed against policies such as residential amenity, design etc.
DP14 clause 2	Millwood Homes (Devon) Ltd (197054 - 14320)	Policy too restrictive. Question viability to maintain element of employment in each site. Sites of non-conforming use which can be developed for housing should not be burdened with the need to provide employment uses within the site.	No change. There is huge pressure for the redevelopment of employment sites in the South Hams. It is therefore important for planning policy to retain employment, and where this is not possible for the redevelopment of existing employment sites to have an element of employment with a mixed use development, where it retains the same number of jobs. The policy does state 'where necessary'.
DP14	Highways Agency	Support policy to retain existing employment.	Support welcomed.
DP14	South West RSL Planning Consortium (182450 - 1288)	Some instances when affordable housing is more appropriate than the need to protect the poorest quality of employment land. Insert another criterion under (1) 'an alternative use or mix of uses offers greater potential benefits to the community, including affordable housing'.	No change. It is important for the economy of the South Hams for this policy to be unchanged, in order to retain employment/jobs in the district.
Para 3.130	The Dartington Hall Trust (316336 - 4379)	Comment unreasonable as Tourism and rural facilities only have to provide accounts for two years. This policy is prejudicial to employment business. The requirement should be two years.	No change. There is huge pressure for the redevelopment of employment sites in the South Hams. It is therefore important for planning policy to retain employment, and where this is not possible for the redevelopment of existing employment sites to have an element of employment with a mixed use development, where it retains the same number of jobs. The policy does state 'where necessary'.

Policy / paragraph	Organisation (& Representative Number)	Comment	SHDC Response
DP14 clause 2	The Dartington Hall Trust (316336 - 4379)	Policy over restrictive. Question viability of policy which seeks to retain element of employment in each site - will affect viability. Policy should be more flexible.	No change. There is huge pressure for the redevelopment of employment sites in the South Hams. It is therefore important for planning policy to retain employment, and where this is not possible for the redevelopment of existing employment sites to have an element of employment with a mixed use development, where it retains the same number of jobs. The policy does state 'where necessary'.
DP14 clause 2	Totnes Town Council (182223 - 4371)	Remove 'contains an element of employment' from statement - developer should enhance job provision and 'as a minimum, provide for the same number of jobs'.	No change necessary.
DP15			
DP15	GOSW (315922 - 4368)	Written material (initial chapters and reasoned justification preceding each policy) could be reduced in length.	The supporting text for DP15 has been amended to provide brevity and clarity.
DP15	South Devon AONB (182265 - 1094)	Supports DP15.	Support welcomed.
DP15	Devon County Council (920)	Reference should be included to indicate that within the AONB and undeveloped coast those policies will also apply.	No change. This policy covers all development in the countryside, as stated in the supporting text. The development plan (RSS & LDF) and national policies all apply to planning application, therefore policies relating to AONB and undeveloped coast will apply to these areas, as well as DP15.
DP15	Trustees of the Cann Estate (316333 - 1097)	Support allowing for development outside development boundaries for local need.	Support welcomed.
DP15	Highways Agency	Development should not have an adverse impact on the local or SRN.	No change. This criterion is covered in the transport policy DP7, and therefore does not need to be repeated in other DPD policies.
Para 3.137	South West RSL Planning Consortium (182450 - 1288)	Policy should be amended to refer to Rural Exceptions schemes and cross-referenced to Policy AH2 of the Affordable Housing DPD.	Supporting text is amended to reference that affordable housing can be delivered through rural exception sites. Reference made to national policy and policy AH2 in Affordable Housing DPD.

Policy / paragraph	Organisation (& Representative Number)	Comment	SHDC Response
DP15	George Wimpey (Exeter) (313180 - 4370)	Allocations may be made as urban extensions to settlements, which are currently in the open countryside. It is anticipated that the Site Allocations DPD will make allocations on greenfield sites. DP15 and supporting text does not make reference to these potential allocations. Change wording to 'within the countryside'	No change necessary. Allocations are dealt with in other DPDs.
DP16			
DP criteria 1c	GOSW (315922 - 4368)	Some policy wording appears to be onerous, prescriptive or lacking in clarity. However, examination process allows the Inspector to examine wording in detail.	Criterion 1c amended (now clause 2) to clarify that the use of a traditional building applies to residential (including holiday use) proposals. Criteria 1f clarified to include reference to traditional building.
DP16	Devon County Council (920)	Reference should be included to indicate that within the AONB and undeveloped coast those policies will also apply.	No change. This policy covers all development in the countryside, as stated in the supporting text. The development plan (RSS & LDF) and national policies all apply to planning application, therefore policies relating to AONB and undeveloped coast will apply to these areas, as well as DP16.
DP16	Highways Agency	Should be no impact on the SRN.	No change necessary.
DP16 criteria 1a	The Church Commissioners for England (316310 - 4376)	Sequential approach to re-use of existing buildings in the countryside is not effective. Agree it is consistent with national policy, but it is too restrictive on residential use.	No change. Being restrictive on permitting residential development in the countryside is in line with national policy and the spatial strategy in the Core Strategy CS1 'development will be strictly controlled'.
Para 3.145	The Church Commissioners for England (316310 - 4376)	Para 3.145 does recognise residential use may be secured if 'demonstrated', but it is not clear as to the extent of information required by the Council, therefore policy is not deliverable. Change wording to para 3.145 - include description of the 'detail' required by the Council to demonstrate that a residential use is justified. This could be statement demonstrating building	No change. Even if the conversion of a rural building is unviable for employment, this does not automatically mean the building can be converted for residential use. The Core Strategy spatial strategy already states that residential development in the countryside will be strictly controlled.

Policy / paragraph	Organisation (& Representative Number)	Comment	SHDC Response
		marketed for six months for an economic re-use or a viability assessment that residential use is only viable re-use for building.	
DP16	The Church Commissioners for England (316310 - 4376)	Countryside buildings are not always in remote locations - some located close to existing settlements and residential use presents only viable use for building.	No change. The Core Strategy spatial strategy already states that residential development in the countryside will be strictly controlled.
DP16	David Sheppard Architects (316106 - 4375)	It gives priority to economic use before residential. Detrimental to the 'preservation' of existing buildings in the rural landscape. Some buildings worthy of retention are abandoned on economic grounds. Should say that existing buildings of merit should be retained for residential and other economic uses. When residential allowed it should be to the highest level of craftsmanship creating and retaining local trades.	No change. Being restrictive on permitting residential development in the countryside is in line with national policy and the spatial strategy in the Core Strategy CS1 'development will be strictly controlled'.
DP17			
DP17	South Devon AONB (182265 - 1094)	Supports DP17.	Support welcomed.
DP17 clause 2	Harrison Sutton Partnership (922 - 315975)	Do not define 'subordinate in scale or properties' as clause 1 covers this better.	No change necessary. It is important to manage the scale of extensions to prevent inappropriate development in the countryside.
DP17	Harrison Sutton Partnership (922 - 315975)	Some temporary structures look awful and are better replaced with permanent structures.	No change necessary.
DP17 criteria 3b	Harrison Sutton Partnership (922 - 315975)	What is 'significant'? What is 'original'? 1st para gives enough restriction. New PD rights provide for how much we can extend	No change. The scale of a replacement dwelling will be judged against policy criteria, such as landscape and residential amenity etc, as well as any new PD rights.

Policy / paragraph	Organisation (& Representative Number)	Comment	SHDC Response
		existing dwelling. Larger dwellings can look better and can add to the SHDC economy.	
DP17 criteria 3d	Trustees of the Cann Estate (316333 - 1097)	Amend point 3d: 'any new replacement dwellings should be positioned on the footprint...or other environmental grounds a more appropriate location can be agreed, or the site is on the edge of a settlement and there is an exceptional local need' - this would provide consistency with policy DP15.	No change. This policy only applies to the replacement dwellings. It does not need to relate to edge of a settlement or to exceptional local need.
DP17	Roger Robinson (architect) (316023 - 4374)	All criteria make proposed policy over restrictive and not necessary. DP17 para 1 is all that is needed.	No change. Policy is supposed to be restrictive in order to protect the countryside/landscape from the impact of development and not increase the number of dwellings in the countryside (3c). It also supports the Core Strategy spatial strategy in strictly controlling development in the countryside.
DP17 clause 2	David Sheppard Architects (316106 - 4375)	Subordinate is an ill-defined term. It is possible to design an extension that is large and subordinate through creative design. It should be considered on the basis 'does the extension detrimentally affect the character and appearance'.	No change. The scale of a replacement dwelling will be judged against policy criteria, such as landscape and residential amenity etc.
DP17 criteria 3b	David Sheppard Architects (316106 - 4375)	3(b) needs a definition of 'significantly larger'.	No change. The scale of a replacement dwelling will be judged against policy criteria, such as landscape and residential amenity etc.
DP17 criteria 3d	David Sheppard Architects (316106 - 4375)	3(d) footprint: unnecessary addition - should be determined on basis of character and appearance.	No change. The footprint of a new replacement dwelling will be determined on the basis of character, design, highway safety, residential amenity and other environmental grounds.
DP18			
DP18	South Devon AONB (182265 - 1094)	Supports DP18.	Support welcomed.

Policy / paragraph	Organisation (& Representative Number)	Comment	SHDC Response
DP18 criteria 1a	South Devon AONB (182265 - 1094)	Minor amend to criteria 1a. 'Adequate off-road riding facilities' only applies to commercial uses. Criteria 1a change to 'there is adequate land and (for commercial uses) adequate off-road facilities...'	Agree. Policy wording amended.