

Public Examination into the South Hams District Council's Development Policies Development Plan Document
Written Hearing Statement
On behalf of
The Dartington Hall Trust

The following Representations refer to the Development Policies Development Plan Document Publication Stage version May 2009, the Significant Changes to Publication stage policies attached to the Full council Meeting agenda of 29th October 2009 and the Proposed Minor post publication changes to South Hams Development Polices DPD and South Hams District Council LDF Examination Development Policies DPD – Pre-Hearing Notes – 19 January 2010.

Under each representation we have answered the questions posed in paragraph 32 of the Pre-Hearing Notes – 19 January 2010

Policy	Section	Paragraph	Page	Representation
DP1	3	Clause 1.c.	16	The requirement to “provide a stimulating environment for play” should only relate to residential schemes where appropriate. This section is unsound as it is not Justified, Effective or consistent with National Policy. This is not clear from the supporting text or the Policy wording To make this section sound the following should replace the last line “ and for residential schemes, provide a stimulating environment for play”
DP4	3	Generally	21 - 25	In its amended form we consider this policy to be sound Following the Significant and Minor changes made we withdraw our objection to this Policy
DP6	3	Generally	28 - 32	This policy does not provide the flexibility to allow consent to be granted to alterations, extensions, partial demolition or alternative uses where these changes are necessary to make any redevelopment or change of use economically viable. This policy could therefore be used to reject proposals which would otherwise inject new life and preserve buildings and features for future generations and may result in decaying mothballed artefacts littering the area. This policy is therefore unsound because it is not Effective Include a paragraph which allows for the flexibility for changes to be made where without them the proposal would be economically unviable. Add a paragraph such as “Proposals for alterations, extensions, partial demolition or alternative uses may be permitted where without them the proposal would be rendered unviable”.
DP6	3	Clause 2	32	In its amended form we consider this policy to be sound Following the deletion of reference to non listed historic buildings we are content with this element of the policy and we assume that the reference in paragraph 24 of South Hams District Council LDF Examination Development Policies DPD – pre Hearing notes – 19 January 2010 to a local list of buildings of architectural or historic interest that lie outside conservation areas will not therefore be necessary.
DP6	3	Clause 4	32	In its amended form we consider this policy to be sound Following the deletion of reference to non listed historic buildings we are content with this element of the policy and we assume that the reference in paragraph 24 of South Hams District Council LDF Examination Development Policies DPD – pre Hearing notes – 19 January 2010 to

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DP8	3	3.85	36	This paragraph commences with "open Space" and goes on to include "natural spaces, greenways, outdoor sports facilities, beaches, amenity greenspace... allotments". It does not clarify whether this policy is intended to apply to Public or Privately owned and maintained land. Open spaces which are Privately owned and maintained should be excluded from this policy which otherwise could be applied to all privately owned land. Clarification required that the policy only applies to Public open space, Private playing fields should not be shown on the proposals map.
DP11	3	DP11	44	We consider this policy to be sound We welcome the policy that development "should reflect the identified local need... and may include... housing suitable for older people.."
DP14	3	3.130	51	This paragraph requires that in order to prove that an employment site is no longer viable, 5 years accounts will be required. This is unsound as it is not Justified In policies DP9 Local Facilities - paragraph 3.96 and DP12: Tourism and Leisure – paragraph 3.116, only 2 years accounts are required to prove that a use is unviable. This paragraph should therefore be amended to 2 years accounts in order that general employment sites are not prejudiced in relation to other business uses particularly in rural areas. It is unreasonable that an employment site which is losing money has to carry on trading for a further 3 years in order to prove that it is unviable. In this area this would adversely impact upon many small local businesses and their owners. In order to make this policy sound change "5" to "2" in line 6 of paragraph 3.130
DP14	3	Clause 2	52	This is unsound as it is not Effective The requirement that an element of a redeveloped site is retained for employment uses to deliver mixed uses and provide the same number of jobs will adversely impact on the viability of a redevelopment, has the potential to create conflicts with non conforming uses and is not sufficiently flexible where alternative employment land/buildings are available in the locality which could lead to an oversupply. Whilst the retention of employment is considered important off site contributions to alternative provision would be a much more flexible method of achieving this aim. Add in line 3, after "element of employment" "or a contribution to alternative provision"