



MID DEVON LOCAL PLAN REVIEW 2013 – 2033

Proposed Submission (incorporating proposed modifications) Examination

Inspector: Paul Griffiths BSc (Hons) BArch IHBC

Main Hearings - Hearing 4: Tuesday 19th February 2019

Matters and Issues

Development Management Policies

Statement of Mid Devon District Council

ISSUE 1 Does Draft Policy DM1 (Design) properly reflect the approach of the (previous version of the Framework)?

- 1. Does Draft Policy DM1 (Design) properly reflect the approach of the (previous version of) the Framework?**
 - 1.1 Yes, Policy DM1 (Design) properly reflects the approach of the 2012 NPPF. It is not overly prescriptive, does not impose particular architectural styles and it reflects good practice. Policy DM1 builds on the Council's strategic objectives for design set out in Policies S1 and S9. It contains criteria to guide high quality design on individual development sites. These criteria draw from the content of the 2012 NPPF.
 - 1.2 Criterion a) mirrors the opening section of 2012 NPPF paragraph 58 in relation to an understanding and evaluation of defining characteristics of the area.
 - 1.3 Criterion b) mirrors the third bullet of paragraph 58 in relation to optimising the potential of the site.
 - 1.4 Criterion c) mirrors the fourth bullet of paragraph 58 in relation to local character and history and also paragraph 126 (third bullet). The inclusion of reference to local character in terms of biodiversity assets is consistent with the 2012 NPPF paragraph 109 in relation to contributing to and enhancing the natural environment.

- 1.5 Criterion d) mirrors the paragraph 58 (fifth bullet) and paragraph 69 (second bullet) in relation to the creation of safe and accessible environments, and also paragraphs 29 and 35 in promoting sustainable transport modes.
- 1.6 Criterion e) mirrors the sixth bullet of paragraph 58 in relation to visually attractive development and also paragraph 59 with regards to scale, massing, layout and materials. Criterion e i) – iv) are not overly prescriptive – they do not impose specific design.
- 1.7 Criterion f) mirrors the second bullet of paragraph 103 in relation to the use of sustainable drainage systems.

Policy DM1 and ‘sound’ Local Plan Part 3 Policy DM2

- 1.8 Policy DM1 has been carried forward, substantially unaltered, from Policy DM2 in the adopted Local Plan Part 3 Development management policies DPD (**LDO03**). This DPD was subject to an examination in public in March 2013 and has been found sound by a Planning Inspector for the Secretary of State. Local Plan Part 3 Policy DM2 has therefore been examined in the context of the 2012 NPPF and a substantially unaltered version is now included in the Local Plan Review.
- 1.9 The Inspector responsible for examining the Local Plan Part 3 Development management policies DPD (**LDO03**) noted in his report that Policy DM2 “provides a basis for a Design SPD, and the Council confirms that it intends to produce such guidance. I am satisfied that it can be used with COR2 to raise the quality of design and reinforce local distinctiveness.” The Council is currently preparing a Design SPD which will be a Supplementary Planning Document.
- 1.10 Policy DM1 differs from Local Plan Part 3 Policy DM2 through the:
- Inclusion of the words “and enable” between the words “encourage” and “sustainable modes of travel” in clause c;
 - Inclusion of the words “, including arrangements for future maintenance,” between the words “(SUDS)” and “and connection of” in clause f; and
 - Exclusion of the final paragraph in Local Plan Part 3 Policy DM2, due to the Government’s intention (in 2014) to replace most housing standards as set out in its Housing Standards Review:

“Major residential development proposals will be required to achieve ‘green’ status under at least 8 of the 12 Building for Life criteria”.