



**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 19<sup>th</sup> February 2019**

**Matters and Issues**

**Development Management Policies**

**Statement of Mid Devon District Council**

**ISSUE 25**      **Is draft Policy DM27 (Protected Landscapes) workable in terms of the (previous version of) the Framework? Is it sufficiently precise?**

- 25.1      Yes, draft Policy DM7 is workable in terms of the 2012 NPPF.
- 25.2      Draft Policy DM27 has been carried forward, without alteration, from Policy DM29 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 DM29 has therefore been examined in the context of the 2012 NPPF and is now included in the Local Plan Review.
- 25.3      Draft Policy DM27 gives the highest status of protection to an Area of Outstanding Natural Beauty and two National Parks and is therefore consistent with paragraph 115 of the 2012 NPPF. The North Devon Biosphere Reserve is also protected in the same manner and explanation for this is provided in the Local Plan Review paragraph 4.92.
- 25.4      Draft Policy DM27 sets criteria against which development proposals within or affecting protected landscapes will be judged. It is therefore consistent with paragraph 113 of the 2012 NPPF.
- 25.5      Draft Policy DM27 makes clear that major developments within or adjoining the Area of Outstanding Natural Beauty and two National Parks will only be permitted in exceptional cases. This is consistent with paragraph 116 of the 2012 NPPF.

*Is it sufficiently precise?*

- 25.6      Draft Policy DM27 is sufficiently precise.

- 25.7 Local Plan Review paragraph 4.90 clarifies that Mid Devon District shares boundaries with the Dartmoor National Park and the Exmoor National Park. It makes clear that part of Mid Devon in the Cheriton Bishop parish falls within the Dartmoor National Park where the Dartmoor National Park is the Local Planning Authority.
- 25.8 Local Plan Review paragraph 4.94 makes clear consideration is for major development adjoining the National Parks.
- 25.9 Major development is defined in the Local Plan Review Annex 1 Glossary, page 203 as “Applications for residential development with a minimum of 10 dwellings or a 0.5 hectare site area, and planning applications for non-residential development with a minimum of 1000 square metres gross floor area, or a 1 hectare site area”.
- 25.10 Following a representation made by Natural England (6242) to the consultation on proposed modifications to the submission Local Plan Review in 2017, the Council has agreed to amend the first sentence of paragraph 4.94 to state “Where major developments are proposed within ~~or adjoining~~ protected landscapes or within the setting of or adjoining the protected landscapes or National Parks.” This is included on page 8 of the Council’s schedule of Minor Modifications following 2017 modifications consultation (**SD14**).
- 25.11 Explanation for the Area of Outstanding Natural Beauty is provided in Local Plan Review paragraph 4.91.