



Draft Mid Devon Design Guide Supplementary Planning Document

Strategic Environmental Assessment Screening Report

November 2019

1.0 Mid Devon Design Guide

Purpose, scope and content

- 1.1 Mid Devon District Council has used consultants, DHUD Ltd in conjunction with Hilton Barnfield Architects and Hyas Associates Ltd, to help prepare a Design Guide for Mid Devon District. This is currently in a Draft form, intended for public consultation.
- 1.2 The purpose of the Mid Devon Design Guide is provide detailed guidance on urban, village and rural design in Mid Devon that can be used to help improve the design of development proposals submitted to the Council for determination and inform the decisions made on these.
- 1.3 The Mid Devon Design Guide has been prepared with regard to character and local distinctiveness of the district, including its landscape and settlements, and also taking into consideration health, climate change and sustainability.
- 1.4 The Mid Devon Design Guide comprises four volumes: Procedural; Settlement and Landscape; Compendium of District Design; and, Special Topic Sheets. It also includes at Pocket Toolkit.
- 1.5 The Mid Devon Design Guide includes eleven core principles:
 - CP1 Supporting, through design, Mid Devon District Council's and Devon County Council's commitment to creating a carbon zero district and county by 2030;
 - CP2 Identifying and facilitating local distinctiveness;
 - CP3 Representing in design, the unique landscape and settlement form of Mid Devon and the interaction between the two;
 - CP4 Providing a variety of non-prescriptive guidance usable in a range of ways;
 - CP5 Facilitating and maintaining design conversation which remains focussed on, and is proportionate to relevant issues;
 - CP6 Enabling continuity of approach and decision making;
 - CP7 Labour saving (providing a rich source of contextual information and other analysis);
 - CP8 Bringing political awareness of distinctiveness and the tools available to uphold high quality design;
 - CP9 Enabling a comprehensive design consideration through context appreciation;
 - CP10 Enabling better, more evidenced, policy compliance;
 - CP11 Enabling the preparation of evidenced Design and Access statements which demonstrate how planning proposals contribute positively to landscape and settlement distinctiveness by using the framework the Guide provides.

Relationship with the National Planning Policy and the National Design Guide

- 1.6 The National Planning Policy Framework (2019) paragraph 124 makes clear "the creation of high quality buildings and places is fundamental to what the planning and development

process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development more acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this". Paragraph 126 adds "To provide maximum clarity about design expectations at an early stage, plans or supplementary planning documents should use visual tools such as design guides and codes. These provide a framework for creating distinctive places, with a consistent and high quality standard of design." The Mid Devon Design Guide is consistent with the National Planning Policy Framework.

- 1.7 The Government published the National Design Guide in October 2019. This provides a common overarching framework for design based on ten characteristics reflecting the Government's priorities for design. It also highlights the importance of local Design Guides in setting out and understanding the local context and analysis of local character and identity. The Mid Devon Design Guide complements the National Design Guide by doing this.

Relationship with the Mid Devon Local Plan

- 1.8 The Council is preparing a new local plan for Mid Devon. The Mid Devon Local Plan Review 2013-2033 ("Local Plan Review") is at an advanced stage in its preparation. It is currently being examined by an Inspector appointed by the Planning Inspectorate and is currently subject to a main modifications stage. It is anticipated it will be adopted in the spring 2020. Once adopted the Local Plan Review will replace the current Mid Devon Local Plan, which includes:

- Core Strategy (adopted 2007)
- Allocations and Infrastructure Development Plan Document (adopted 2010)
- Development Management Policies (adopted 2013)

- 1.9 The Local Plan Review Policy DM1 High Quality Design will provide the policy baseline for the more detailed guidance included in the Mid Devon Design Guide:

Policy DM1

High Quality Design

Designs of new development must be of high quality, based upon and demonstrating the following principles:

- a. *Clear understanding of the characteristics of the site, its wider context and the surrounding area;*
- b. *Efficient and effective use of the site, having regard to criterion (a);*
- c. *Positive contribution to local character including any heritage or biodiversity assets and the setting of heritage assets;*
- d. *Creation of safe and accessible places that also encourage and enable sustainable modes of travel such as walking and cycling;*
- e. *Visually attractive places that are well integrated with surrounding buildings, streets, landscapes and do not have an unacceptably adverse effect on the privacy and amenity of the proposed or neighbouring uses, taking account of:*
 - i. *Architecture*
 - ii. *Siting, layout, scale and massing*
 - iii. *Orientation and fenestration*

- iv. *Materials, landscaping and green infrastructure*
- f. *Appropriate drainage including sustainable drainage systems (SUDS), including arrangements for future maintenance, and connection of foul drainage to a mains sewer where available.*

1.10 At the time of preparing the Mid Devon Design Guide, the Council has followed post examination hearings advice from the Planning Inspector and has proposed Main Modifications to Policy DM1. These include the addition of three further criteria to Policy DM1 as follows:

- g) *Adequate levels of daylight, sunlight and privacy to private amenity spaces and principal windows;*
- h) *Suitably sized rooms and overall floorspace which allows for adequate storage and movement within the building together as set out in the Nationally Described Space Standard with external spaces for recycling, refuse and cycle storage; and*
- i) *On sites of 10 houses or more the provision of 20% of dwellings built to Level 2 of Building Regulations Part M 'access to and use of dwellings'.*

1.11 The Mid Devon Local Plan Review (2013 – 2033) has been subject to a Sustainability Appraisal (SA) , which has incorporated a Strategic Environmental Assessment (SEA). The Local Plan Review has also been subject to a Habitat Regulations Assessment.

Status of the Mid Devon Design Guide SPD

1.12 The Mid Devon Design Guide will be adopted by the Council as a Supplementary Planning Document (SPD). The SPD will not be part of the development plan and does not introduce new planning policies into the development plan. However, it will be capable of being a material consideration in determining planning applications.

2.0 SEA and SEA Screening

Strategic Environmental Assessment

2.1 The requirement for a Strategic Environmental Assessment (SEA) arises from the European Directive 2001/42/EC “on the assessment of the effects of certain plans and programmes on the environment” (hereafter referred to as the SEA Directive). This has been transposed into English law by the Environmental Assessment of Plans and Programmes Regulations 2004 (referred to as the ‘SEA Regulations’). This legislation places an obligation on local authorities to undertake SEA on any plan or programme prepared for town and country planning or land use purposes and which sets the framework for future development consent of certain projects.

Screening

2.2 The 2008 Planning Act has removed the requirement to undertake a Sustainability Appraisal (SA) for an SPD. However, this has not replaced the requirement to establish whether an SPD requires Strategic Environmental Assessment (SEA). SEA is required in some limited situations where a Supplementary Planning Document (SPD) could have significant environmental effects.

- 2.3 In order to establish whether SEA is required the fundamental consideration is whether the document is likely to have 'significant environmental effects'. This is done through a screening assessment. If the screening assessment indicates that there could be significant effects, an SEA is needed.
- 2.4 A Practical Guide to the SEA Directive was published by the Department of the Environment, Office of the Deputy Prime Minister (2005). This sets out practical guidance on applying the SEA Directive on the assessment of the effects of certain plans and programmes on the environment. The practical guidance includes a flow chart (figure 2) which illustrates the process for screening a planning document to establish whether a full SEA is needed.

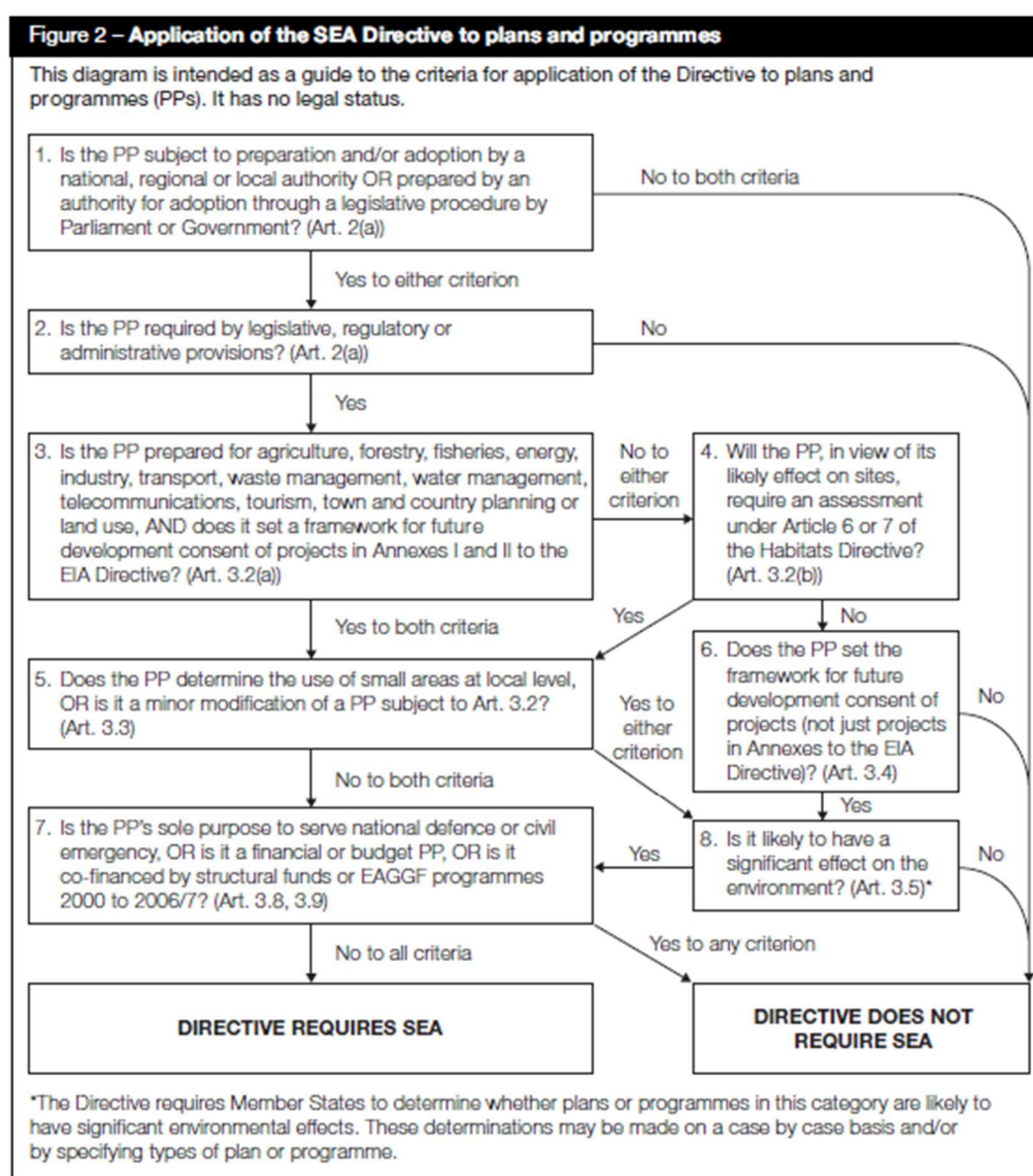


Diagram 1: Application of the SEA Direct to plans and programmes (Figure 2 extracted from 'A practical guide to the Strategic Environmental Assessment Directive')

- 2.5 Table 1 below sets out the Council's response to the above questions in order to clearly assess the whether there is a requirement for the Mid Devon Design Guide SPD to be subject a full SEA.
- 2.6 Table 2 provides the Council's assessment of likely significant effects of the Mid Devon Design Guide SPD on the environment, in accordance with the screening report process in Table 1.

Table 1: Screening of the Mid Devon Design Guide SPD

Stage	Y/N	Reason
1. Is the SPD subject to preparation and/or adoption by a national, regional or local authority OR prepared by an authority for adoption through a legislative procedure by Parliament or Government? (Art.2(a))	Y	The preparation and adoption of the SPD is allowed under the Town and Country Planning Act 1990. The process in preparing the SPD is in accordance with the Town and Country Planning (Local Planning) Regulations 2012. Go to STAGE 2
2. Is the SPD required by legislative, regulatory or administrative provisions? (Art.2(a))	Y	Although the SPD is not a requirement under the provisions of the Town and Country Planning Act 1990, if adopted it will form part of the Local Plan and supplement development plan policies. It is therefore important that the screening process is precautionary and considers whether it is likely to have significant environment effects and hence whether SEA is required under the Directive. Go to STAGE 3.
3. Is the SPD prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or land use, AND does it set a framework for future development consent of projects in Annexes I and II to the EIA Directive? (Art. 3.2(a))	Y	The SPD has been prepared for the purposes of town and country planning. It supplements policies in the Mid Devon Local Plan Review (2013-2033) by providing detailed guidance as to how these policies are interpreted in relation to design in new development. The area covered is more than 5 hectares and the design guide will be used in development of more than 150 dwellings and other major developments. Although the design guide does not create new policy or identity specific sites for development. Go to STAGE 5
4. Will the SPD, in view of this likely effect on sites require an assessment under Article 6 or 7 of the Habitats Directive? (Art.3.2(b))	Not Applicable The SPD has been subject to a separate Habitat Regulations Assessment screening which has concluded the SPD is not likely to have significant adverse effects on the integrity of Habitats sites, either alone or in-	

	combination with other plans or projects and further 'Appropriate Assessment' is not required.	
5. Does the SPD determine the use of small areas at local level, OR is it a minor modification of a plan or programme subject to Art 3.2? (Art.3.3)	N	The SPD does not determine the use of small areas at local level as it is supplementary to the Mid Devon Local Plan Review (2013-2033) which does this and it is not a minor modification of a plan or programme subject to Article 3.2. Go to STAGE 8
6. Does the SPD set the framework for future development consent of projects (not just projects in Annexes to the EIA Directive)? (Art. 3.4)	Not applicable	
7. Is the SPD's sole purpose to serve national defence or civil emergency, OR is it a financial or budget plan or programme, OR is it co-financed by structural funds or EAGGF programmes 2000 to 2006/7? (Art. 3.8, 3.9)	Not applicable	
8. Is it likely to have a significant effect on the environment? (Art. 3.4)	N	See Part 2, assessment of the likely significant effects on the environment. This concludes that the SPD is unlikely to have a significant effect on the Environment. DIRECTIVE DOES NOT REQUIRE SEA of the SPD

Table 2: Determining the likely significance of effects of the Mid Devon Design Guide SPD on the environment

Criteria specified schedule 1 SEA Regulations	Likely significant environmental effect (Y/N)	Reason
1. The characteristics of plans and programmes, having regard, in particular, to -		
a) The degree to which the SPD sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources;	N	The SPD, if adopted will help implement the relevant design policies of the Local Plan and therefore contribute to the framework for future development consent. The Local Plan has been subject to Sustainability Appraisal (SA) and therefore SEA.
b) The degree to which the SPD influences other plans and programmes including those in a hierarchy;	N	The SPD is in conformity with the National Planning Policy Framework and Mid Devon Local Plan Review 2013-2033 policies. The SPD will not significantly influence other plans and

		programmes, it supplements the Local Plan which has been subject to SA and therefore SEA.
c) The relevance of the SPD for the integration of environmental considerations in particular with a view to promoting sustainable development;	N	The SPD will help raise design standards in development proposals. One of the core principles of the SPD is to support, through design, the Council's commitment to achieving net zero carbon emissions by 2030. The Design Guide SPD has regard throughout to climate change. The Design Guide acknowledges that good design is a key aspect of sustainable development and seeks to achieve this by providing clarity on design process, design expectations and how these will be tested through the planning process. As a result, it seeks to facilitate high quality housing and other developments based on sound urban design principles. It seeks to develop buildings of high environmental quality in their appearance and long term durability. It seeks to make best use of green infrastructure and encourages best practice in sustainable development which will help reduce the risk of flooding.
d) Environmental problems relevant to the SPD; and	N	The environmental problems are consistent with those typically found in Mid Devon, these include air quality, flood risk, noise and biodiversity. Planning policy in relation to these environmental problems is principally established through the National Planning Policy Framework and the Mid Devon Local Plan Review. However, the SPD provides guidance on maintaining distinctiveness and the value this espouses in environmental, social and economic terms, coupled inextricably to the character of the landscape. The Design Guide establishes a process to ensure that developments can effectively respond to landscape and settlement form. Therefore, positive environmental impacts are predicted.

e) The relevance of the SPD for the implementation of Community legislation on the environment (for example, plans and programmes linked to waste management or water protection)	N	The SPD is not directly relevant to the implementation of European legislation including the Water Framework Directive.
2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to -		
a) The probability, duration, frequency and reversibility of the effects;	N	The SPD seeks to ensure development is of an appropriate scale, suitably designed with consideration of the impact on amenity, character of area and environmental impact. Therefore positive social and environmental impacts are predicted. Long-term significant adverse effects are not anticipated.
b) The cumulative nature of the effects;	N	The SPD is in conformity with the strategic policies in Local Plan Review 2013-2033 and it is intended that the effects will have a positive cumulative effect in the area.
c) The transboundary nature of the effects	N	There are not expected to be any significant trans-boundary effects. The design guide SPD seeks to provide good practice in the design of development within Mid Devon District.
d) The risks to human health or the environment (for example, due to accidents);	N	The SPD is likely to have a positive impact on human health by encouraging high quality accommodation and development. There are no significant risks to human health.
e) The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected);	N	The SPD applies to the Mid Devon District Area with the impacts likely to be felt by a significant proportion of the District population (approximately 80,000) where development occurs.
f) The value and vulnerability of the area likely to be affected due to – (i) Special nature characteristics or cultural heritage; (ii) Exceeded environmental quality standards or limit values; or (iii) Intensive land-use	N	Mid Devon has a number of heritage assets across the area. These are covered by other policies in the Local Plan and specific legislation. The SPD seeks a positive approach to maintain, or improve the setting of these assets through careful consideration of landscape and settlement form. The SPD seeks to guide development in keeping with

		the principles of national, regional and local strategic policy and seek to prevent over intensive development.
g) The effects on areas or landscapes which have a recognised natural, Community or international protection status.	N	The SPD seeks to promote good design and therefore is likely to have a positive effect on areas or landscapes which have a recognised natural, Community or international protection status including the Blackdown Hills AONB and Dartmoor National Park.

3.0 Conclusions

3.1 This SEA screening has identified that the draft Mid Devon Design Guide SPD is unlikely to have significant effects on the environment.

3.2 The SEA screening has also found that there is no requirement for the Mid Devon Design Guide SPD to be subject to a full SEA.

4.0 Next steps

4.1 This screening opinion will be subject to consultation with the three designated consultation bodies – Historic England, Natural England, and the Environment Agency.

4.2 The screening opinion will be published alongside the Draft Mid Devon Design Guide and will also be subject to public consultation.