

STATEMENT F

POLICY DEV1 – GENERAL APPROACH TO NEW DEVELOPMENT

IS THIS POLICY SOUND AND IN PARTICULAR CONSISTENT WITH NATIONAL POLICY?

1.0 Is this policy sound and in particular consistent with National Policy and Guidance?

1.1 The policy is not sound in its current form, as it is not consistent with national policy and guidance. This is primarily on the basis that the Council have included a development criteria checklist, which is not consistent or in accordance with the NPPF particularly in regard to a sequential approach to land use (Criteria 3). It is, in effect, introducing additional criterion which have not been justified. By referencing the seven criteria listed, it is unclear whether the Council is advancing a different approach to the definition of sustainable development to that as set out in paragraph 6 of the Framework (i.e para's 18-219 taken as a whole).

1.2 Criteria 2 sets out that proposals should be located so as to minimise the need to travel and encourage journeys that would remain necessary to be possible by a variety of sustainable transport modes. In this regard, due to the withdrawal of a number of transport services in Eden, this would mean development in the Key Hubs which are not served by local transport facilities which would not meet the requirements of Criteria 2. Therefore this criteria, if not removed from the Plan, would restrict development in the Key Hubs, contrary to the overall approach and paragraph 55 of the NPPF. This Policy is inconsistent with LS1 and raised also in response to Policy DEV3.

1.3 It is considered that criterion 3 (sequential approach) should be removed from the policy as it seeks to introduce a sequential approach to land use. This approach is not consistent with the NPPF.

1.4 These elements of the policy should be removed and the Policy should be reworded as set out below:

A presumption in favour of sustainable development will apply. Applications for sustainable development will be approved without delay where they are in accordance with the development plan, unless material considerations indicate otherwise.

Where there are no policies relevant to the application the Council will grant permission unless material considerations indicate otherwise, including whether adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or where specific policies in that Framework indicate that development should be restricted.

The Council will work proactively with applicants to find solutions which mean proposals will be approved wherever possible, and secure development which improves the economic, social and environmental conditions.