

Sturminster Newton Neighbourhood Plan

Representations by Hall & Woodhouse Ltd to issues raised by Examiner in his statement of 10 October 2018

Response specific to EQ18 and Policies 4, 5 and 39

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BA MA MRTPI MRICS**



Client: Hall & Woodhouse Ltd

Date: 23 October 2018

Ref: D-ND-210-LE

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1.0 Introduction

- 1.1 The Examiner has asked a further series of questions regarding Policies 4, 5 and 39 of the Sturminster Newton Neighbourhood Plan which have been grouped together under reference EQ18. Hall & Woodhouse Ltd is grateful for the opportunity to respond further.
- 1.2 An apology is made to the Examiner and to all other parties if representations submitted on behalf of Hall & Woodhouse Ltd have been ambiguous in terms of the policies being referenced. For the avoidance of doubt, Hall & Woodhouse has supported Policy 4 and has not commented in respect of Policy 5. It is agreed that it is Policy 4 of the NP 'Local green Spaces' which is intended to replace IOWA in the NP area.
- 1.3 The following seeks to respond as appropriate to each of the questions raised. The responses should be read in conjunction with the representations submitted to date.

2.0 Responses to the Examiner's Questions

Question i) Am I right in my understanding of Policy 4, about which I have no representations, that it supersedes IOWA in the SNNP area?

- 2.1 Yes. Policy 4 sets out the Local Green Spaces which the Neighbourhood Plan seeks to protect and paragraph 4.2.13 sets out that they *effectively replace the Important Open and Wooded Area policy areas that were carried forward from the previous Local Plan.*
- 2.2 This approach fully accords with Policies 4 and 15 of North Dorset Local Plan Part 1 (LP1) as referenced at 3.3 a) and b) of the Hall & Woodhouse Ltd representations dated 10 September 2018.
- 2.3 Hall & Woodhouse Ltd supported Policy 4 of the NP in its representations in April 2018 (at the Pre-Submission Stage).
- 2.4 It should again be confirmed that the land adjoining The Bull is not shown as a Local Green Space under Policy 4 and Map 3.

Question ii) How does NDDC wish me to view its representation regarding Policy 5? In this regard it does seem to me that there is too close an association in terms of its submission title that may confuse it with IOWA

- 2.5 This is a question directed to NDDC. Hall & Woodhouse's representations have not been specific to Policy 5.

Question iii) Please will NDDC confirm that it has no objection to Policy 4?

- 2.6 Again this is a question directed to NDDC, but there is no evidence that NDDC has raised any objection to this policy at any stage of the preparation of the Neighbourhood Plan.

Question iv) Saved Policy 1.9 states “Important Open or Wooded Areas - Designated Important Open or Wooded Areas will be protected from development.” SNNP Policy 4 is titled Local Green Spaces (a policy title that carries a presumption similar to Green Belt). It is not titled as Saved Policy 1.9 and therefore can it over-ride that designation and remove an area from the grip of saved Policy 1.9?

2.7 It is firmly contended that SNNP Policy 4 on Local Green Spaces can and indeed should override and replace Policy 1.9 from the 2003 NDDC Local Plan. Paragraphs 7.132 through to 7.135 of the LP1 sets out the Council’s approach to Local Green Spaces. The text notes that local green spaces can only be designated through local or Neighbourhood plans. Paragraph 7.135 specifically sets out that the review of IOWAs will be undertaken as part either of Local Plan Part 2 or Neighbourhood Plans.

2.8 Appendix A of LP1 sets out the policies from the 2003 Local Plan which are replaced by LP1, followed by a Schedule A.2 which is described as follows:

A.2 The following schedule of saved policies from the North Dorset District-Wide Local Plan 2003 lists those policies that will continue to be retained until reviewed in either Part 2 of the North Dorset Local Plan, that deals with site allocations, or through a neighbourhood plan.

The schedule includes Policy 1.9 Important Open/Wooded Areas (IOWA’s within Settlements with the following text:

IOWA were designated to protect the amenity and character of settlements from the pressure of infill development. They will continue to be saved until they are reviewed either through the Local Plan Part 2 or a neighbourhood plan.

A copy of the relevant page from LP1 is included as an Appendix to these representations..

Hall & Woodhouse Ltd: Additional representations to the Sturminster Neighbourhood Plan in response to questions asked by the Examiner.

2.9 As already set out, the Neighbourhood Plan has undertaken this review and has set out its proposed Local Green Spaces at Policy 4. The land adjoining the Bull which was previously an IOWA is not included.

Question v) Have other Neighbourhood Plans in the District reviewed IOWAs, and if so by what designation?

2.10 The Examiner is referred to the Shillingstone Neighbourhood Plan which was made on 9 February 2017 following a successful referendum. Policy 1 (page 8) is entitled **Local green spaces**. The preceding paragraphs on page 7 explain that as well as new designations, the NP reviewed the IOWAs as designated in the 2003 NDDC Local Plan. It further states

Once this neighbourhood plan is made, those areas within Shillingstone which are presently identified by the saved policies of the North Dorset Local Plan as Important Open and Wooded Areas but which are not included within the local green spaces will no longer be specially protected.

2.11 Indeed these words were specifically added by the Examiner to make the position clear. His report stated at paragraphs 4.1.3 and 4.1.4:

It appears that there has been a longstanding intention to carry out a review of IOWAs. The adopted NDLP says, at paragraph 7.135, that they will continue to be saved until they are reviewed either through the Local Plan Part 2 (which is now to be rolled up into a more general local plan review) or (my emphasis) a neighbourhood plan. This plainly means that if a neighbourhood plan reviews the IOWA within its area, as in this case, and is subsequently made, then any IOWA which are not included within the LGS will no longer be specially protected. The District Council, in representation 7, do not appear to appreciate that this is the case. The text supporting SNP Policy 1 is also inaccurate. I therefore recommend that the final sentence of the fifth paragraph on page 6 of the SNP be deleted and replaced with the words 'Once this neighbourhood plan is made, those areas within Shillingstone which are presently identified by the saved policies of the NDDWLP as IOWA but which are not included within the local green spaces will no longer be specially protected'.

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In accordance with the NDLP the SNP has reviewed the local IOWAs and either proposes to incorporate them into LGS, or to delete them. Supporting document SUP06 sets out the rationale for these proposals.

2.12 A copy of the Plan and the Inspector's report are both attached as Appendices to these representations for assistance.

2.13 The Bourton Neighbourhood Plan was made in January 2018, after a successful referendum. It has also reviewed the IOWAs in its Neighbourhood Plan area as set out originally in the North Dorset Local Plan 2003. In the case of this Neighbourhood Plan it has decided to retain all of the allocations but to include them as Local Green Spaces (Policy 9). A copy of this Neighbourhood Plan is also appended as an Appendix to these representations.

Question vi) Please will NDDC clarify its attitude to the development covered by Policy 39 in the light of its development management officer's reported endorsement: *this document* (the 'Landscape and Visual Appraisal' that was commissioned (March 2017) and submitted at regulation 16 stage) *is a robust review of the IOWA designations and (she/he) found no reason to object to the conclusions in either document, (the Landscape and Visual Appraisal and the SNNP Local Green Space Policy)?*

2.14 This is a question specifically directed to the Council.

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7.0 Conclusion

7.1 Hall & Woodhouse Ltd continue to support Policies 4 and 39 as drafted and do not seek for any modifications to be made, other than for the site to remain within the settlement boundary as existing.

7.2 It is hoped that these further representations have been helpful to the Examiner and once again apologies are extended if the earlier representations were in any way ambiguous.

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APPENDICES – submitted separately

1. Extract from Schedule A2 of LP1
2. Shillingstone Made Neighbourhood Plan
3. Shillingstone Examiner's Report
4. Bourton Made Neighbourhood Plan