

Our ref: DE/GT/81980

18 September 2015



Planning Policy
North Dorset District Council
Nordon,
Salisbury Road,
Blandford Forum,
DT11 7LL

By Email

Dear Sirs

REPRESENTATIONS TO THE NORTH DORSET LOCAL PLAN – PART 1: MAIN MODIFICATIONS CONSULTATION

TOWN AND COUNTRY PLANNING (LOCAL PLAN) REGULATIONS 2012

THE OLD RECTORY, OLD RECTORY LANE, GLANVILLES, WOOTTON, SHERBORNE, DORSET

Please find the attached written representations made on behalf of Mr N. Bell of The Old Rectory, Old Rectory Lane, Glanvilles Wootton, Sherborne, Dorset, in relation to the North Dorset Local Plan Part 1.

These representations are made in relation to Main Modification 3 (Policy 2 and supporting text – Stalbridge and the villages), Main Modification 13 (Policy 15 and supporting text – Local Green Spaces) and Main Modification 18 (Policy 20 and supporting text – definition of the countryside and neighbourhood plans).

The content of these representations is overarching and generic, however they are made with a view to submitting subsequent representations for site allocation at Glanvilles Wootton as part of the emerging Local Plan Part 2.

We would welcome the opportunity to participate in the oral examination hearing sessions and would like to be kept up to date on the progress of this and any subsequent documents relating to the production of the North Dorset Local Plan

Please confirm receipt.

Yours faithfully

[Redacted signature block]

GENEVIEVE COLLINS
Senior Planner

[Redacted contact information]

[Redacted footer information]

Regulated by RICS



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North Dorset Local Plan – Part 1

Main Modifications Consultation

24 July to 18 September 2015

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Response Form

For each representation you wish to make a separate response form will need to be completed.

This is a formal consultation on the legal compliance and soundness of the Local Plan as amended by main modifications. The Inspector produced a note on his preliminary findings into the North Dorset Local Plan Part 1 and this was published on 9 June 2015. The Inspector and the Council wish to be informed about any representations on the proposed main modifications to the Local Plan. Details of the Main Modification documents are available on the Council's web page below:

www.dorsetforyou.com/northdorsetlocalplanmainmod

Please return completed forms to:

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Deadline: Midnight on 18 September 2015. Representations received after this time may not be accepted.

Part A – Personal details

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Personal Details (if applicable)*	Agent's Details (if applicable)*
Title	Mrs
First Name	Genevieve
Last Name	Collins
Job Title(<i>where relevant</i>)	Senior Planner
Organisation (<i>where relevant</i>)	Alder King Planning Consultants
Address	██████████ ██████████ ██████████
Postcode	██████
Tel. No.	██████████
Email Address	██████████████████

Part B – Representation

Please tick if you wish to be updated on the progress of this document

1. Which proposed Main Modification are you commenting on? (please insert the MM reference number from column 1 in the consultation document):

Please use a separate form for each proposed modification you are commenting on.

MM3

2. Do you support this Main Modification? (i.e. do you think it is sound and/or legally compliant)

Yes

No

3. If no, in summary, why do you not support the proposed modification?

- It has not been positively prepared
- It is not justified
- It is not effective
- It is not consistent with national policy
- It does not comply with the law

4. What would you like to happen?

- Delete the proposed modification
- Amend the proposed modification – you should suggest amended wording below
- Add a new policy or paragraph - you should suggest new wording below

(Please give further details or suggested wording in box for Question 6)

5. If there is an additional Examination Hearing session, would you like to verbally express your views to the Inspector?

Yes, I would like to participate in the oral examination

No, I do not wish to participate in the oral examination

6. Your Comments.

Please provide more details as to

- Why you do/do not feel that the proposed modification meets the soundness criteria set out in Question 3.
- What changes to the proposed modification wording/new wording you are suggesting.
- What additional policies or wording you are suggesting.

To assist the Inspector please try to be as concise as possible. For longer responses a brief summary would also be helpful for the Inspector.

Regarding MM3, the retention of large village settlement boundaries requested by the Inspector is welcomed. However there is insufficient evidence to justify why the existing established settlement boundaries of small and medium villages are considered unsuitable for retention and warrant blanket designation as countryside at this stage of the Local Plan process. Such blanket designation and removal of established settlement boundaries threatens the organic evolution, longevity and sustainability of small and medium villages and may force people out of the smaller and medium rural communities to larger villages and towns.

Planning Law (s.39(2) of the Planning and Compulsory Purchase Act 2004), the National Planning Policy Framework and associated Practice Guidance require that "Local Plans must be prepared with the objective of contributing to the achievement of sustainable development". Removing an established principle of acceptable redevelopment in small and medium villages without clear justification cannot be said to be contributing to the achievement of sustainable development or be planning positively for development and infrastructure. As such the current modified policy is unjustified, not positively prepared and not in conformity with planning policy or planning law.

The proposed countryside designation of all small and medium villages would likely act as an impediment to delivering new development and redeveloping existing brownfield sites in these locations. It would substantially reduce any flexibility and opportunity of these villages to contribute to the supply of sustainable housing or economic growth throughout the entire plan period and could jeopardise the ability of the District to demonstrate the delivery of a five year supply of housing land in the future especially by removing opportunities for windfall upon which it is noted, the Council clearly rely in the five year supply calculations. The ability to grow positively and organically is critical for the survival, sustainability and enhancement of small and medium villages and rural communities.

As such the following modification is suggested for Policy 2:

"Retain all existing established settlement boundaries of small, medium and large villages unless and until there is a detailed review, clear evidence and sufficient justification for their removal. Such a detailed review should be undertaken as part of the evidence base for Local Plan Part 2".

It is welcomed that a minimum of 825 dwellings will be provided in the countryside, but sufficient flexibility should be incorporated in the overarching Local Plan to enable the delivery of development in other areas not solely in the larger villages. The following modification is suggested to this particular part of policy 2:

"Where a settlement housing guideline appears unlikely to be met by the end of the plan period, additional sites in small and medium village settlement boundaries or outside settlement development boundaries that accord with the settlement policy may be acceptable subject to detailed considerations ..."

To summarise, the blanket removal of all other settlement boundaries except larger villages is not effective at assisting housing delivery, supporting economic growth or redeveloping brownfield land. The policy should be amended to retain flexibility and should only include the designation as countryside of those areas where there is sufficient justification to do so to ensure sustainable communities and enable rural community continuity.

Continue on a separate sheet if necessary

Signature: G.Collins

Date: 17.09.2015

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Part A – Personal details

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First Name	Genevieve
Last Name	Collins
Job Title(<i>where relevant</i>)	Senior Planner
Organisation (<i>where relevant</i>)	Alder King Planning Consultants
Address	██████████ ██████████ ██████████
Postcode	██████
Tel. No.	██████████
Email Address	██████████████████

Part B – Representation

Please tick if you wish to be updated on the progress of this document

1. Which proposed Main Modification are you commenting on? (please insert the MM reference number from column 1 in the consultation document):

Please use a separate form for each proposed modification you are commenting on.

MM13

2. Do you support this Main Modification? (i.e. do you think it is sound and/or legally compliant)

Yes

No

3. If no, in summary, why do you not support the proposed modification?

- It has not been positively prepared
- It is not justified
- It is not effective
- It is not consistent with national policy
- It does not comply with the law

4. What would you like to happen?

- Delete the proposed modification
- Amend the proposed modification – you should suggest amended wording below
- Add a new policy or paragraph - you should suggest new wording below

(Please give further details or suggested wording in box for Question 6)

5. If there is an additional Examination Hearing session, would you like to verbally express your views to the Inspector?

- Yes, I would like to participate in the oral examination
- No, I do not wish to participate in the oral examination

6. Your Comments.

Please provide more details as to

- Why you do/do not feel that the proposed modification meets the soundness criteria set out in Question 3.
- What changes to the proposed modification wording/new wording you are suggesting.
- What additional policies or wording you are suggesting.

To assist the Inspector please try to be as concise as possible. For longer responses a brief summary would also be helpful for the Inspector.

Regarding MM13, the policy relating to Important Open and Wooded Areas (IOWA) of the 2003 Local Plan should not be saved because it is not in conformity with the National Planning Policy Framework (paras 73 and 77) and Planning Practice Guidance for Local Green Space paragraphs 005-0022, specifically paragraph 0013.

Paragraph 73 of the NPPF requires local planning policies (for the protection of open space) to be based on robust and up-to-date assessments for the needs of open space, sports and recreation facilities and opportunities for new provision. There is no such assessment or robust up-to-date evidence to support the retention of this policy through the emerging Local Plan Part 1.

Paragraph 76 confirms Local Green Space protection is on an equal footing with green belt protection and as such paragraph 77 of the NPPF and Planning Practice Guidance confirm that Local Green Space designation is inappropriate for most green areas or open space and the designation should only be used where it holds particular local significance. Accordingly, the protection of all areas of green space under the IOWA policy, with no justification, evidence base or indication of local significance is clearly contrary to established national planning policy.

As such the IOWA policy should be removed in its entirety or confirmed as no longer applicable unless/until it is clearly justified on the basis of robust and up-to-date assessment and /or local significance and the proposed location. Such a review should take place as part of the Local Plan Part 2 and the policy should not be applicable until this time.

The following modification is recommended:

"The existing IOWA policy is removed in its entirety and is only applicable where it can be clearly justified on the basis of robust and up-to-date assessment and /or local significance. The Local Green Space designation should only be used where:

- *the green space is in reasonably close proximity to the community it serves;*
- *the green area is demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquility or richness of its wildlife; and*
- *the green area concerned is local in character and is not an extensive tract of land".*

Continue on a separate sheet if necessary

Signature: GCollins

Date: 17/09/2015

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Part B – Representation

Please tick if you wish to be updated on the progress of this document

1. Which proposed Main Modification are you commenting on? (please insert the MM reference number from column 1 in the consultation document):

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MM18

2. Do you support this Main Modification? (i.e. do you think it is sound and/or legally compliant)

Yes

No

3. If no, in summary, why do you not support the proposed modification?

- It has not been positively prepared
- It is not justified
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- It does not comply with the law

4. What would you like to happen?

- Delete the proposed modification
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6. Your Comments.

Please provide more details as to

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- What additional policies or wording you are suggesting.

To assist the Inspector please try to be as concise as possible. For longer responses a brief summary would also be helpful for the Inspector.

Main modification 18 is welcomed in that it includes the larger village settlement boundaries, but should widen policy 20 to include the retention of settlement boundaries of small and medium villages in the interests of fostering positive sustainable development to conform to planning law (s.39(2) of the Planning and Compulsory Purchase Act 2004) and the National Planning Policy Framework (paras 14, 17 and 28) unless there is clear evidence to justify the designation of countryside across all these existing established settlement boundaries.

The proposed designation of all small and medium villages as Countryside results in the removal of sites previously considered acceptable in principle for development/redevelopment. The removal of the established settlement boundaries of medium and small villages will make it difficult to redevelop existing brownfield sites in these locations and deliver much needed housing especially in the form of windfall and other important development required for the sustainability and enhancement of rural areas. There is no need to remove the settlement boundaries as it is possible for each application to be assessed on its own merits through the development management process.

Planning Law (s.39(2) of the Planning and Compulsory Purchase Act 2004), the National Planning Policy Framework and associated Practice Guidance require that "Local Plans must be prepared with the objective of contributing to the achievement of sustainable development". To remove the previously established principle of acceptable redevelopment in small to medium villages without clear justification cannot be said to be contributing to the achievement of sustainable development or be planning positively for development and infrastructure. As such the policy is not positively prepared, or legally compliant.

The proposed removal of the settlement boundaries could act as an impediment to growth and inhibit organic evolution and development of existing small and medium villages to the detriment of their sustainability. This is contrary to the core principles of the NPPF which requires planning to proactively drive and support suitable economic development to deliver homes, businesses and industrial units, infrastructure and thriving local places that the country needs (para 17). Such a proposed blanket removal of established settlements does not support positive growth, discourages effective reuse of brownfield land and is inherently unsustainable. Indeed the designation of small and medium villages as entirely countryside does not support sustainable growth of rural business, does not promote development of agricultural and other land based businesses and does not support the development of local services and community facilities. As such, it is contrary to Section 3 paragraph 28 of the National Planning Policy Framework and Practice Guidance supporting it.

The following modification is suggested for policy 20:

"For the purposes of the Local Plan the countryside is defined as all land outside the established settlement boundaries of the District".

With reference to para 8.190, Neighborhood Plans (and Local Plan Part 2) have to be in accordance with the overarching Local Plan Part 1 vision. Accordingly, it is difficult to understand how Neighbourhood Plans can come forwards including settlement boundaries in small and medium sized villages, if the established settlement boundaries are removed and such villages are designated as countryside under the overarching strategic vision represented in Local Plan Part 1. As such this policy provision seems entirely contrary and could significantly limit development that can be brought forward through the main Local or Neighbourhood Plans. This proposed policy is not supporting positive growth or contributing to the achievement of sustainable development and therefore should be clarified, if not removed in its entirety, and provision included for its review under Local Plan Part 2.

Continue on a separate sheet if necessary

Signature: GCollins

Date: 17/09/2015

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