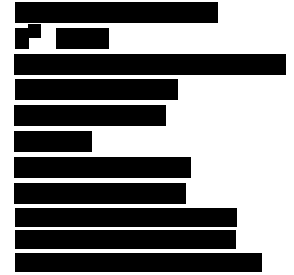


**Your Ref** 2961 & 3085  
**Our Ref** NS/PCL/1504& 1505  
**Date** 18<sup>th</sup> September 2015



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



Dear Sir/ Madam

**NORTH DORSET LOCAL PLAN – MAIN MODIFICATIONS AND ADDITIONAL CHANGES CONSULTATION**

We write in response to the Council's consultation on the Main Modifications and Additional Changes to the Local Plan Part 1.

As per our previous representations and participation at the Examination Hearing sessions, the comments submitted are made on behalf of Land Value Alliances (2961) and Sherborne School & Cancer Research UK (3085).

We have reviewed the proposed modifications set out in MHD050 (Schedule of Main Modifications) and updated Sustainability Appraisal (MHD051) and Habitat Regulations Assessment (MHD052), as well as the further changes to the plan set out in MHD053 (Schedule of Additional Changes).

The Inspector is clear in his Preliminary Findings that his note has been issued without prejudice to any final report that he may prepare, and the Inspector **has not commented on the acceptability of the Council's approach** to certain matters for which he expressed concerns at the Examination Hearings.

We continue to have significant concerns with regards to the soundness of the Plan and consider that the proposed main modifications and additional changes fail to adequately address a number of issues set out our earlier representations and which were discussed at the Examination Hearings. In particular we have concerns in relation to housing delivery, the Council's identification of 'broad locations for growth' and the consideration given to the protection of the AONB.

With reference to the proposed main modifications (MHD050) and additional changes (MHD053), we wish to comment as follows:



## **MHD050 - Schedule of Main Modifications**

### ***MM5 (Housing Development)***

We support the extension of the plan period to 2031, as well as the amended reference to 'at least' housing figures to reflect that the number of homes proposed should be considered as minimum requirements. The minimum requirements should however correlate with housing needs.

The small increase in the annualised target to account for an allowance for second homes equates to just an additional 5 dwellings per annum and does not sufficiently address previous concerns in relation to affordable housing needs.

The Council have failed to correlate their identified need with their projections of assessed need, since the annual identified need for additional affordable housing per annum (387 dpa) exceeds the total level of housing proposed (285 dpa). This is curious, and has still not been appropriately justified by the Council.

The proposed level of development now proposed in the countryside (including Stalbridge and the Villages) is also not substantiated by appropriate evidence. The analysis provided at Appendix 1 to MHD007 makes the assumption that half of the housing need from the two projections is from the rural area. However, the first paragraph is clear that just because around half of the population of the district live in rural areas, ***"does not automatically mean that half of the housing need/ demand arises in these areas"***.

No justification has been provided as to why the proposed level of housing at Shaftesbury has not been increased to reflect discussions, representations and the extension to the plan period to 2031, as per the other main towns. Shaftesbury is an important location for future growth in the District however, the identified broad locations for growth at the town are not considered to represent the most sustainable locations for development (see comments below in relation to MM16).

### ***MM6 (Housing Trajectory)***

The Council has included a revised housing trajectory at Appendix E (Figure E.1). The Council provided a detailed trajectory and supporting note as part of their series of mid-hearing documents (MHD003 & MHD008) which provided



further detail on this summary graph. We provided a number of comments on these documents (MHD036) however these do not appear to have been taken into account by the Council.

We consider that the proposed level of delivery is overly optimistic and is not an accurate reflection of likely annual delivery rates. For example, a number of units are shown to be delivered in 2015/16 within the Gillingham Southern Extension. As set out in previous representations, this is considered unrealistic. The trajectory suggests a delivery of circa 140 dwellings per year from the years 2020/21 to 2026/27. With only a small number of developers involved, together with other infrastructure constraints, this is very unlikely to be deliverable.

We do not believe that a single strategic site will deliver housing at the rate required to meet the stated need to 2031. Due to the intention not to allocate other sites within LP1, is high risk and there is a lack of flexibility as there is no suitable fall-back position should the southern extension not deliver the required number of homes. Our position remains that a better informed view is required and that a more realistic approach would be to continue to support the southern extension for longer term growth at Gillingham, but at a more realistic rate, whilst allocating other suitable sites around the boundaries of the town to meet shorter term housing needs.

In Shaftesbury, land adjacent to Wincombe Business Park is shown to provide 50 dpa between 2017/18 and 2019/20. It is plain that this level of delivery is unrealistic on a site which is likely to involve a single developer.

### ***MM8 and MM9 (Affordable Housing)***

Since the publication of the main modifications document, Government guidance in relation to affordable housing exemptions has been held in the High Court as unlawful (Case No. CO/76/2015). Reference to this guidance should therefore be removed. This may have implications for other policies in the plan and needs to be re-assessed by the Council.

### ***MM15 (Gillingham)***

We support the proposed amendment to the level of affordable housing provision that will be sought from developments at Gillingham.

As set out above, the proposed modifications to Policy 17 and the supporting text are not sufficient to address concerns in relation to proposed growth at



Gillingham set out in our earlier representations. We do not believe that a single strategic site, together with reliance on land within the existing settlement boundary, will deliver housing at the rate required. Support should continue to be given to the southern extension over the longer term however other suitable sites should be allocated for development to meet housing needs in the shorter term. One suitable allocation is Land South of Le Neubourg Way which has been demonstrated to be available, sustainable and deliverable.

### **MM16 (Shaftesbury)**

The proposed modifications to Policy 18 and supporting text have failed to address concerns expressed by the Inspector and participants in relation to the **Council's identification of broad locations for growth and the consideration** given to the AONB.

The policy and supporting text fail to acknowledge that one of the broad locations for growth identified - land to the west of the A350 opposite Wincombe Business Park - is largely within the Cranborne Chase AONB.

The statutory purpose of AONBs is to conserve and enhance the natural beauty of their area. Section 85 of the Countryside and Rights of Way Act 2000 places a statutory duty on all relevant authorities, requiring them to have regard to the purpose of the AONB when coming to decisions or carrying out activities relating to, or affecting, land within these areas.

Paragraph 115 of the Framework states that:

*"Great weight should be given to conserving landscape and scenic beauty in ... AONBs, which have the highest status of protection in relation to landscape and scenic beauty"*

Paragraphs 115 and 116 of the Framework make it clear that development within designated landscape areas (including AONBs) should be restricted and that major development will only be permitted in exceptional circumstances and where it can be demonstrated they are in the public interest.

Development on land to the west of the A350 would be regarded as major development, and it must be demonstrated that exceptional circumstances exist for this site to be brought forward for development. However, no such justification has been provided by the Council in accordance with paragraph 116 of the Framework. As we have set out in our previous representations and discussions at the hearing sessions, the **Council's** supporting evidence base is



not considered sufficiently robust and no clear evidence has been provided to demonstrate that there is such limited scope to provide housing on sites outside the AONB, that land is required to be brought forward in this designation.

There are clearly alternative sites available and suitable for development which could meet the level of housing proposed at Shaftesbury, which are not within the AONB or any other designated area of landscape importance nor would they have an impact upon the setting of the AONB – **including our client's land** at Higher Blandford Road, Shaftesbury. The reason that this site has not been considered by the Council as a potential broad location for development is that it was not included in the SHLAA at the time landscape impact assessments used to inform LP1 were carried out. **The partial nature of the Council's** evidence base is a significant shortcoming.

Land at Higher Blandford Road has been assessed more recently in the SHLAA as suitable and available for development, and should be considered as an alternative site for development.

It is therefore considered that Policy 18 is not justified, is not consistent with the Framework and the Council have not demonstrated compliance with their statutory duty to have regard to the purpose of the AONB.

### **MM19 (Gillingham SSA)**

The last sentence of the proposed new paragraph (after 9.92) states:

*"In the event that the southern extension does not deliver housing, employment and infrastructure at the anticipated rates set out in LP1, MPF and IDPs, proposed remedial actions could be set out in either LP2, Gillingham Neighbourhood Plan, a review of LP1 or a review of the MPF".*

This is not considered sufficiently robust to ensure that the level of housing at the SSA will be successfully delivered and reiterates the need to identify additional sites for development at Gillingham to ensure that housing needs are met in full.

### **MHD053 (Additional Changes)**

**1/INT/3** - The proposed new paragraph does not help to clarify the relationship between LP1 and LP2. There is embedded conflict in the Council's



approach to identifying 'broad locations for growth' within LP1 and their aim to provide flexibility in the allocation of sites in LP2.

**3/2/4, 3/2/7 and 3/2/29** - The proposed amendments state that proposals for housing and employment growth set out in policies relating to the main towns will be used alongside the settlement boundaries for development management purposes. However the text is vague and would not provide sufficient certainty for applicants and the local community in bringing sites forward through planning applications (in advance of their allocation in LP2).

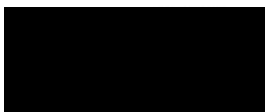
As set out in our earlier representations, we have significant concerns in the Council's identification of broad locations for growth, which did not involve a full assessment of the potential of land around the edge of settlements to accommodate development. As such, it is considered that the Council should look to formally amend settlement boundaries at the main towns in order to bring forward development and this should involve a full review of potential additional sites.

**4/4/12** - We support the amendments, to reflect guidance in relation to AONBs set out in the Framework.

**4/4/41** - We do not support the proposed wording in Policy 4 that "*proposals which would harm the natural beauty in AONBs will not be permitted unless it is clearly in the public interest to do so*". This is not consistent with the Framework which is clear that great weight should be given to conserving landscape and scenic beauty in the AONB, irrespective of whether paragraph 116 is applicable (i.e. it is not 'major development').

We trust these comments will be taken into account by the Council and Inspector in the consideration of the soundness of the Local Plan.

Yours sincerely



Nicole Stacey BSc (Hons) MSc MRTPI  
**For PCI Planning Ltd**



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Representation # _____	



# North Dorset Local Plan Part 1

## Main Modifications Consultation

### 24 July to 18 September 2015

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Personal Details (if applicable)*	Agent's Details (if applicable)*
Title	MISS
First Name	Nicole
Last Name	Stacey
Job Title (where relevant)	Planning Consultant
Organisation (where relevant)	PCL Planning Ltd.
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)**

MM5
-----

**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 main 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 6)

**5. If there is an additional Examination Hearing Session, would you like to participate?**

No, I do not wish to participate

Yes, I would like to participate



**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.

Please see enclosed letter

*Continue on a separate sheet if necessary*

Signature:  \_\_\_\_\_

Date: 18/09/2015

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First Name	Nicole
Last Name	Stacey
Job Title (where relevant)	Planning Consultant
Organisation (where relevant)	PCL Planning Ltd.
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)

MM 6
------

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 main modification?

It has not been positively prepared

It is not justified

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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

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Yes, I would like to participate

**6. Your Comments**

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Last Name	Stacey
Job Title (where relevant)	Planning Consultant
Organisation (where relevant)	PCL Planning Ltd.
Address	
Postcode	
Tel. No.	
Email Address	

## Part B – Representation

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

MM8

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 main modification?

It has not been positively prepared

It is not justified

It is not effective

It is not consistent with national policy

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4. What would you like to happen?

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5. If there is an additional Examination Hearing Session, would you like to participate?

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Yes, I would like to participate

**6. Your Comments**

Please provide more details as to

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First Name	Nicole
Last Name	Stacey
Job Title (where relevant)	Planning Consultant
Organisation (where relevant)	Sherborne School & Cancer Research UK AND Shaftesbury LVA LLP. PCL Planning Ltd.
Address	c/o Agent.
Postcode	
Tel. No.	
Email Address	



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MM 9
------

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 main modification?

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Add a new policy or paragraph – you should suggest new wording below

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5. If there is an additional Examination Hearing Session, would you like to participate?

No, I do not wish to participate

Yes, I would like to participate

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Please provide more details as to

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- What changes to the proposed modification wording/new wording you are suggesting.
- What additional policies or wording you are suggesting.

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Signature:  \_\_\_\_\_

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Title	Miss
First Name	Nicole
Last Name	Stacey
Job Title (where relevant)	Planning Consultant
Organisation (where relevant)	Sherborne School & Cancer Research UK AND Shaftesbury LVA LLP. PCL Planning Ltd.
Address	c/o Agent.
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)

MM15
------

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 main modification?

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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?

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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 6)

5. If there is an additional Examination Hearing Session, would you like to participate?

No, I do not wish to participate

Yes, I would like to participate

**6. Your Comments**

Please provide more details as to

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- What additional policies or wording you are suggesting.

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Date: 18 / 09 / 2015

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Representor ID # \_\_\_\_\_ Ack: \_\_\_\_\_  
Representation # \_\_\_\_\_



# North Dorset Local Plan Part 1

## Main Modifications Consultation

### 24 July to 18 September 2015

Town and Country Planning (Local Planning) (England) Regulations 2012

## 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](http://www.dorsetforyou.com/northdorsetlocalplanmainmod)

**Please return completed forms to:**

Email: [planningpolicy@north-dorset.gov.uk](mailto:planningpolicy@north-dorset.gov.uk)

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

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

### Part A – Personal details

This part of the form must be completed by all people making representations as **anonymous comments cannot be accepted**. Representations cannot be treated in confidence as Regulation 22 of the Town and County Planning (Local Planning) (England) Regulations 2012 requires copies of all representations to be made publically available. By submitting this response form you consent to your information being disclosed to third parties for this purpose, personal details will not be visible on our web site, although they will be shown on paper copies that will be sent to the Inspector and available for inspection.

\*If an agent is appointed, please complete only the Title, Name and Organisation boxes to the personal details but complete the full contact details of the agent. All correspondence will be sent to the agent.

Personal Details (if applicable)*	Agent's Details (if applicable)*
Title	MISS
First Name	Nicole
Last Name	Stacey
Job Title (where relevant)	Planning Consultant
Organisation (where relevant)	Sherborne School + Cancer Research UK AND Shaftesbury LVA LLP. PCL Planning Ltd.
Address	c/o Agent.
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)

MM16
------

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 main 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 6)

5. If there is an additional Examination Hearing Session, would you like to participate?

No, I do not wish to participate

Yes, I would like to participate

**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.

Please see enclosed letter

*Continue on a separate sheet if necessary*

Signature:  \_\_\_\_\_

Date: 18/09/2015

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First Name	Nicole
Last Name	Stacey
Job Title (where relevant)	Planning Consultant
Organisation (where relevant)	Sherborne School & Cancer Research UK AND Shaftesbury LVA LLP. PCL Planning Ltd.
Address	c/o Agent.
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)

MM 19
-------

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 main modification?

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