

Bridport Area Neighbourhood Development Plan 2019-2031

Produced by the Bridport Town Council

Health Check – March 2019: Undertaken by Derek Stebbing BA (Hons) Dip EP MRTPI

Summary of Recommendations

1. Process

- We recommend that the Neighbourhood Area designation date, which was 20 May 2014, be included within the Bridport Area Neighbourhood Development Plan (the Plan), possibly on page 3. (1.1)
- The Basic Conditions Statement contains the following statement – *“A Strategic Environmental Assessment has not been undertaken for the Bridport Area Neighbourhood Plan as there is no land allocation for development. West Dorset District Council confirmed that the draft neighbourhood plan did not require a sustainability appraisal in XXXX. However, the Bridport Area Neighbourhood Plan can clearly demonstrate that it has taken account of the need to contribute to the achievement of sustainable development in terms of how its policies will deliver a blend of economic, social and environmental benefits for the wider Bridport Area”*. We have not seen the Screening Opinion that has been provided by West Dorset District Council to confirm that a Strategic Environmental Assessment (SEA) is not necessary for the Plan. (1.7)

2. Content

- The Plan contains 52 emerging Policies. Our principal concern is that the Plan’s policies show several different drafting styles, and this leads to the Plan being less cohesive than it could be. We do recommend that, following this Health Check, the Steering Group take the opportunity to look across the Draft Plan as a whole and undertake an editing exercise to consider whether the overall “balance” of the Plan can be improved. (2.1)
- The present references to the National Planning Policy Framework (NPPF) in the Plan itself are rather too brief and are mainly on page 4. The Plan would benefit considerably by containing an extended section addressing National Policy and the relevant Strategic Planning Policies contained in

the West Dorset, Weymouth & Portland Local Plan (2015), highlighting in particular the requirement to deliver sustainable development. (2.3 and 2.7)

- The Plan does not contain a clear statement on how it seeks to address the national policy requirement to deliver sustainable development, and we recommend that this be addressed, possibly as part of an extended section addressing the NPPF's national policy priorities. (2.4)
- We do identify some minor errors in the Plan, which are set out in Part 3 of this Health Check. (2.8)
- We make Detailed Comments on the content and drafting of the Plan's Policies, most notably Policy H9 (Principal Residence Requirement) and the associated evidential requirements. It is clear that the Plan's Policies reflect and have been shaped by the community's aspirations, as expressed at various stages during the Plan's preparation. However, we have concerns around the drafting of a number of policies. Some policies are extremely short, e.g. Policy HT2, whilst others are lengthy and contain detailed requirements. Others contain text which is more in the form of statements, rather than policy requirements. A consistency check will be necessary to ensure that the full suite of policies is drafted and presented on a consistent basis. (2.9)

Derek Stebbing
20 March 2019

Part 1 – Process

	Criteria	Source	Response/Comments
1.1	Have the necessary statutory requirements been met in terms of the designation of the neighbourhood area?	Bridport Area NP	Yes, this requirement is met. The process of designation is described in the Basic Conditions Statement and Page 5 of the Plan contains the Designation Map (Map 1). The Neighbourhood Area designation date, which was 20 May 2014, is referenced in the Basic Conditions Statement. It should also be referenced in the Plan, possibly at page 3.
1.2	If the area does not have a parish council, have the necessary statutory requirements been met in terms of the designation of the neighbourhood forum?	N/A	N/A
1.3	Has the plan been the subject of appropriate pre-submission consultation and publicity, as set out in the legislation, or is this underway?	Bridport Area NP	Yes, these requirements are met. The Consultation Statement (January 2019) describes in full the pre-submission consultation and publicity that has taken place, particularly at Sections 2 and 3 in that document. Regulation 14 consultation took place between July and September 2018.
1.4	Has there been a programme of community engagement proportionate to the scale and complexity of the plan?	Bridport Area NP	Yes, this requirement is met. The Consultation Statement sets out (at Section 2) the engagement and consultation approach and lists the full chronology of engagement events that took place in the Plan area between 2015 and 2018.
1.5	Are arrangements in place for an independent examiner to be appointed?	None Available (N/A)	There is no information provided on this. Whilst the Qualifying Body (QB) has not yet submitted the Plan to West Dorset District Council under Regulation 15, it is advised that the Joint Councils Committee now begin discussing what the process will be for identifying a suitable independent examiner with the District Council (to be part of Dorset Council).

			Whilst the general approach is to assess the resumes/CVs provided by prospective examiners, you may also find it very helpful in coming to a decision by reading examples of their reports on other neighbourhood plans.
1.6	Are discussions taking place with the electoral services team on holding the referendum?	N/A	It is not yet appropriate to put in place arrangements for a Referendum after the Examination of the Plan. However, as the Plan advances during 2019, discussions should be held with West Dorset Council District Council (to be part of Dorset Council).
1.7	Is there a clear project plan for bringing the plan into force and does it take account of local authority committee cycles?	Bridport Area NP	Yes, the Plan contains a section on Projects and Actions (at pages 71-76) which sets out how 19 projects across the Plan area will be taken forward in accordance with the Plan's objectives and policies. Potential delivery partners are identified.
1.8	Has a SEA screening been carried out by the LPA?	N/A	The Basic Conditions Statement contains the following statement – <i>“A Strategic Environmental Assessment has not been undertaken for the Bridport Area Neighbourhood Plan as there is no land allocation for development. West Dorset District Council confirmed that the draft neighbourhood plan did not require a sustainability appraisal in XXXX. However, the Bridport Area Neighbourhood Plan can clearly demonstrate that it has taken account of the need to contribute to the achievement of sustainable development in terms of how its policies will deliver a blend of economic, social and environmental benefits for the wider Bridport Area”</i> . We have not seen the Screening Opinion that has been provided by West Dorset District Council to confirm that a SEA is not necessary for the Plan.
1.9	Has an HRA screening been carried out by the LPA?	N/A	We have not seen a Habitats Regulation Assessment (HRA) Screening Report. We draw the QB's attention to the fact that the <i>Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018</i> were made on 5 December 2018 and came into force on 28 December 2018. These amend the basic

			<p>condition related to Habitats Assessments - the new basic condition took effect from 28 December 2018. See the following link: http://www.legislation.gov.uk/uksi/2018/1307/contents/made (and see Section 3). This will allow Neighbourhood Plan areas where there could be a likely significant effect on a protected habitat to undertake a full 'appropriate assessment' to demonstrate how impacts will be mitigated, in the same way as would happen for a Local Plan. This amendment follows the ruling of the European Court in <i>People over Wind and Sweetman</i> on 12 April 2018. As we have not seen the HRA Screening Report, we cannot provide any further opinion whether or not there are any further implications for the Bridport Area NP.</p>
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Part 2 – Content

	Criteria	Source	Response/Comments
2.1	Are policies appropriately justified with a clear rationale?	Bridport Area NP	Yes, in most cases. However, our principal concern is that the Plan’s policies show several different drafting styles, and this leads to the Plan being less cohesive than it could be. We do recommend that following this Health Check the Steering Group take the opportunity to look across the Draft Plan as a whole and undertake an editing exercise to consider whether the overall “balance” of the Plan can be improved.
2.2	Is it clear which parts of the draft plan form the ‘neighbourhood plan proposal’ (i.e. the neighbourhood <i>development plan</i>) under the Localism Act, subject to the independent examination, and which parts do not form part of the ‘plan proposal’, and would not be tested by the independent examination?	Bridport Area NP	The Plan (presently totalling 79 pages, plus Appendix A) is the ‘neighbourhood plan proposal’ to be subject to future independent Examination. We do not identify any extraneous material (such as Appendices) that should be removed from the Plan.
2.3	Are there any obvious conflicts with the NPPF?	Bridport Area NP	<p>The present references to the NPPF in the Plan itself are rather too brief and are mainly on page 4. The Plan would benefit considerably by containing an extended section addressing National Policy and the relevant Strategic Planning Policies contained in West Dorset, Weymouth & Portland Local Plan (2015), highlighting in particular the requirement to deliver sustainable development.</p> <p>The Basic Conditions Statement (at Section 1) contains a listing of the Plan’s policies and how they address national policy priorities in the NPPF (2018). This section of the Basic Conditions Statement should be updated to refer to the NPPF 2019.</p>

2.4	Is there a clear explanation of the ways the plan contributes to the achievement of sustainable development?	Bridport Area NP	No, this requirement is not met. The Plan does not contain a clear statement on how it seeks to address the national policy requirement to deliver sustainable development. However, the Basic Conditions Statement (at Section 2) does contain a listing of the Plan’s policies “scored” against the three dimensions of sustainable development.
2.5	Are there any issues around compatibility with human rights or EU obligations?	Bridport Area NP	No, from our assessment of the documents received, there would appear to be no potential issues regarding compatibility with human rights or EU obligations. We would advise that this matter should be directly addressed as part of the Basic Conditions Statement.
2.6	Does the plan avoid dealing with excluded development including nationally significant infrastructure, waste and minerals?	Bridport Area NP	Yes, the Plan does avoid dealing with such excluded development, and there are no potential issues regarding this matter.
2.7	Is there consensus between the local planning authority and the qualifying body over whether the plan meets the basic conditions including conformity with strategic development plan policy and, if not, what are the areas of disagreement?	Bridport Area NP	<p>The Plan does contain references, which are rather too brief and spread across the Plan, to the strategic policies in the adopted West Dorset, Weymouth & Portland Local Plan 2011-2031. As with National Policy (see 2.3 above), we recommend that the Plan contains an enhanced section addressing the relevant strategic policies contained in the adopted West Dorset, Weymouth & Portland Local Plan 2011-2031, as they affect the Bridport NP area, particularly in order that future users of the Plan can gain a better understanding of which Local Plan policies might apply to potential developments within the Plan area.</p> <p>We are unable to conclude at the present time that there are no potential issues of general non-conformity (i.e. disagreement) with strategic development plan policies.</p>
2.8	Are there any obvious errors in the plan?	Bridport Area NP	<p>We identify some minor errors in the Plan.</p> <p>These are set out in Part 3 of this Health Check below.</p>

2.9	Are the plan's policies clear and unambiguous and do they reflect the community's aspirations?	Bridport Area NP	We make Detailed Comments below on the content and drafting of the Plan's Policies, most notably Policy H9 (Principal Residence Requirement) and the associated evidential requirements. It is clear that the Plan's Policies reflect and have been shaped by the community's aspirations, as expressed at various stages during the Plan's preparation. However, we have concerns around the drafting of a number of policies – see point no. 59 below. Some policies are extremely short, e.g. Policy HT2, whilst others are lengthy and contain detailed requirements. Others contain text which is more in the form of statements rather than policy requirements. A consistency check will be necessary to ensure that the full suite of policies is drafted and presented on a consistent basis (to minimise the necessity for a series of Modifications at the Plan's Examination stage).
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Part 3 –Detailed Comments

1. These detailed comments address all matters, both of significance and of a more minor nature, across the Plan and are presented in Page order.
2. Page 4 – **Relationship with the National Planning Policy Framework & West Dorset Local Plan** – references to the NPPF should now refer to the latest version, published in February 2019, and the relevant NPPF paragraph numbers should be re-checked for accuracy. This affects references in the Plan and the Basic Conditions Statement.
3. Page 15 – **Policy CF1 (Protection of Existing Community Infrastructure)** – as drafted, clause 2) reads as an alternative to clause 1), but presumably only applies to situations where existing facilities are no longer needed/viable. The policy would be better drafted as a single statement, incorporating and clarifying the text of clause 2).
4. Page 15 – **Policy CF2 (New Community Services & Facilities)** – typographical error - the entry c) is repeated twice. Clause c) infers that new proposals will always involve the loss of public open space, but this might not be the case particularly with privately-run facilities. We recommend that the clause be redrafted.
5. Page 16 – **Policy CF3 (Allotments)** – to be effective, this policy should either list the relevant allotment sites to be protected or provide a reference to an accompanying map/plan. The policy is also not well drafted and is rather more of a statement – it should elaborate on what the allotments will be protected from, presumably development, and it does not refer to the desire/intention to seek additional opportunities where suitable sites can be identified.
6. Page 21 – **Policy HT1 (Non-Designated Heritage Assets)** – the policy should provide a reference to where the list of non-designated heritage assets that has been prepared by the Joint Councils Committee can be found (for the benefit of users of the Plan).
7. Page 22 – **Policy HT2 (Public Realm)** – as with a number of the draft policies (e.g. CF3), this particular policy is extremely short and actually could be difficult to use effectively – for example a development proposal might be unacceptable for various reasons, but does include significant public realm improvements – the applicant could argue that it should be supported, as a result of this policy as presently drafted. The brevity of the policy contrasts sharply with the detail found in some other policies (e.g. HT3 and D8), and this may reflect the styles of different authors. Another example of differing styles is that some policies use 1), 2) etc., whilst others use 1. 2. etc. and others use a), b), c) etc. – we recommend that prior to Submission, the Plan as a whole be re-checked for consistency of drafting.

8. Page 23 – **Policy HT3 (Shopfront Design)** – the entry to the policy numbered 1) is not necessary. There is no clause j) listed for the Bridport, West Bay and Bradpole Conservation Areas, and this may be an omission.
9. Page 25 – **Policy L1 (Green Corridors, Footpaths, Surrounding Hills and Skylines)** – to be effective, this policy should assist users of the Plan by providing a reference to the key documents and evidence that provides detail on the landscape character, surrounding hills and skylines. This would appear to be the West Dorset Landscape Character Assessment (2009) and the Landscape Character and Setting report (2016).
10. Page 25 – **Policy L2 (Biodiversity)** – whilst the policy is fit for purpose, its supporting justification and the evidence base list does not give any information on existing biodiversity features across the Plan area, and importantly on any protected habitats or designated sites. To be an effective policy for users of the Plan, source information on biodiversity does need to be available, if only by a suitable cross reference.
11. Page 26 – **Policy L3 (Local Green Spaces)** – to some extent clauses 1) and 2) of this policy are repetitious in their opening phraseology, and we would recommend that they be brought together into a single policy – whilst retaining the reference to Map 4.
12. Page 27 – **Policy L4 (Anti-Coalescence Measures – Green Gaps)** – we would recommend that the title of this policy, and that of Map 5, be amended to be “Green Gaps”. Whilst the underlying sentiment may be “anti-coalescence”, it would be preferable to use more conventional planning terminology for a policy and Green Gaps are widely used to maintain separation between settlements. Anti-coalescence is not a commonly used term. Has the Steering Group discussed the implications of this policy with West Dorset Council and are the Council content with the extent of the Green Gaps as set out in the policy?
13. Page 28 – **Policy L5 (Enhancement of the Environment)** – as with Policy L2, there is no indication where users of the Plan can identify the wildlife corridors and priority habitats that are referenced in clause 3, particularly as they are to be protected from development proposals that would result in their loss or harm to character etc.
14. Page 30 – **Policy CC1 (Publicising Carbon Footprint)** – as with some other policies, this policy is rather too brief and we consider that it should make reference to the Bridport Climate Change Strategy and any other supporting evidence that is considered necessary. We note the policy also provides that ‘*A statement should accompany every planning application as to the anticipated carbon emissions of the proposed development*’. The requirement for this ‘statement’ might be considered overly onerous for any and all development of whatever scale.
15. Page 31 – the reference in the 3rd paragraph to the 2018 NPPF should be updated to the 2019 NPPF (published in February 2019).

16. Page 32 – **Policy CC2 (Energy and Carbon Emissions)** – the Town and Country Planning Act 1990 (and its various amendments) and the Building Regulations are two separate legislative matters (one concerning planning and the other concerning construction), and we would recommend that the Plan (being a statutory development plan document concerned with planning policies) does not include reference to the Building Regulations within a planning policy, and particularly with such specificity as requiring a 19% improvement above the target emission rate. This is a matter for building designers and the construction industry. We recommend that the policy be redrafted to refer to the planning objective of seeking to achieve a high level of energy efficiency etc. Furthermore, the reference in the supporting justification to the Code for Sustainable Homes should be deleted, as it no longer has any status.
17. Page 32 – **Policy CC3 – (Energy Generation to Offset Predicted Carbon Emissions for Unregulated Energy Use)** – the title of this policy is unnecessarily lengthy, and we recommend that it be shortened to “Promoting Use of Renewable and Low Carbon Energy”. The term “unregulated energy” is not yet widely understood by the public, and we would also suggest that the supporting justification for the policy be simplified if possible, again to focus on the use of renewable energy.
18. Page 33 – **Policy CC4 (Neighbourhood Renewable Energy Schemes)** – in our view, this policy should make it clearer that support will be given for appropriate individual and community scale renewable energy projects, subject to their satisfying other policies in the Plan, e.g. Policy D8.
19. Page 33 – **Policy CC5 (Flood Risk Assessment)** – as drafted, this is not a planning policy. It is merely a general statement. The policy should be redrafted to state that a flood risk assessment will need to be submitted for those development proposals that fall within areas of flood risk, as defined in the mapping provided by the Environment Agency – and it would be useful in the supporting justification if a link could be provided to the Environment Agency’s web-site to identify such areas of flood risk.
20. Page 35 – **Policy AM1 (Promotion of Active Travel Modes)** – we would comment that this is a clear and well drafted policy, which could be used as a template for redrafting other policies in the Plan where further attention is necessary.
21. Page 35 – **Policy AM2 (Streets for All)** – the title of this policy tends to suggest creating traffic-free environments. In fact, the policy is more about managing vehicular traffic, and accordingly we suggest that the policy could be re-titled to “Managing Vehicular Traffic”.
22. Page 35 – **Policy AM3 (Foot Path and Cycle Path Network)** – our only comment on this policy is that Footpath and Cyclepath are generally single words, as shown in Policy AM4.
23. Page 35 – **Policy AM4 (Contributions to Maintain and Improve the Footpath and Cyclepath Network)** – this policy leads to the question (for users of the Plan) as to where in the Plan area improvements to the network of footpaths and cycleways will be sought. If there is a forward plan for seeking

such improvements, either by the Town Council or by the Highways authority, then an appropriate reference should be made in the policy and/or the supporting justification.

24. Page 35 – we would point out at this juncture that there are several inconsistencies between the Draft Plan and the Basic Conditions Statement (pages 11-13) in the listing of policies. By way of example, the Basic Conditions Statement lists two policies numbered AM3.
25. Page 36 – **Policy AM5 (Car Parking Strategy)** – we consider that this policy needs to make it clear whether or not it applies to the redevelopment of all existing car park sites (i.e. both public and private) or whether it applies solely to public car parks. Indeed, the use of the word “redevelopment” tends to suggest the potential loss of car parks, whilst certain clauses seem to apply to new or refurbished car parks, e.g. clause b) which would be a requirement for public car parks but could not be realistically applied to private car parks for staff/employees’ use. In summary, the drafting of the policy is presently rather confusing.
26. Page 37 – **Policy AM6 (Connections to Sustainable Transport)** – whilst the policy is fit for purpose, it could easily be added as a further clause to Policy AM1 as part of the measures to promote non-car based travel.
27. Page 37 – **Policy AM7 (Transport Hub Proposal)** – it would be helpful for users of the Plan if an inset map could be provided (with a cross-reference in the policy) to show the area affected by this transport hub proposal.
28. Page 40 – **Policy EE1 (Protection of Existing Employment Sites)** – to ensure general conformity with Policies ECON2 and ECON3 of the adopted Local Plan, we recommend that this policy also lists the eight employment sites covered by those policies, together with The Old Laundry and East Road sites, and that the policy refers to Map 6 for their location/extent etc. This will enable users of the Plan to fully understand which sites are covered by this policy.
29. Page 40 – **Policy EE2 (Provision for New & Small Businesses)** – whilst the policy is fit for purpose, there is little supporting justification (on page 38) to justify its requirements. We suggest that the sub-section “*Demand for Employment Space*” should be extended to cover the point.
30. Page 41 – **Policy EE3 (Sustainable Tourism)** – this policy is not particularly well drafted, and presently comprises four separate policy themes. These need to be brought together under an opening policy statement to the effect that “*Proposals for the development of tourist-related accommodation and facilities will be supported, wherea), b), c), etc’*. It is a policy that also appears to be focused on Bridport town, but we imagine that there are tourism issues across the whole of the Plan area, and we wonder whether it should also be concerned with tourism developments in the more rural areas.

31. Page 44 – **Policy CoB1 (Development in the Centre of Bridport)** – this policy is fit for purpose, but in isolation it is not entirely consistent with other policies in the Plan. We suggest that it needs to make a suitable cross-reference to also “*subject to satisfying other policies in the Plan*”.
32. Page 44 – **Policy CoB2 (Ropewalks Car Park & Bus Station Car Park)** – we cannot see how a requirement that “*redevelopment is accompanied by an improvement to public transport provision between Bridport town centre and the surrounding villages*” can be achieved by the redevelopment of these car park sites, unless the development proposals are accompanied by planning obligations (i.e. Section 106 agreements) making financial contributions to the support of such improved bus services. At best, such contributions would be time-limited and, it is questionable whether they could be directly related to the proposed developments, in which case they would be challenged by a prospective developer. It is therefore doubtful whether clause 1 b) is an effective part of this policy. Overall, we consider that this policy can be redrafted into a single set of design and planning requirements, which should perhaps focus rather more on the nature of the land uses (e.g. retail, business etc.) and the scale of development that would be supported. As presently drafted, it is rather disjointed.
33. Page 45 – **Policy CoB3 (Small Business Support)** – we fully understand the objectives of this policy, but it is imposing some rigid restraints upon potential retail developments. The Government is presently concerned about the future health of town centres, and the impact of internet shopping upon retail businesses. We consider that the policy can be redrafted to present a more positive stance, without departing from the objectives of the policy. We also question whether the 80% requirement for small retail units is appropriate, and that it is set too high.
34. Page 46 – **Policy CoB4 (St Michael’s Support for the Creative Industries)** – again, this is rather more of a statement than an effective planning policy. We suggest that the policy be redrafted to state that “*In the provision of new commercial floorspace at the St Michael’s Trading Estate, proposals will be supported which seek to retain and increase the facilities for small and start-up businesses, and particularly for those in the creative industries, etc.*”.
35. Page 49 – **Policy H1 (General Affordable Housing Policy)** – in clause 2) of this policy, we would suggest replacing the phrase “*by claiming impaired viability*” with a phrase such as “*due to development viability issues*”. Clause 6) of this policy is potentially difficult to interpret for users of the Plan, as it attempts to describe scenarios over both time and size of sites. We would suggest that the first sentence of this clause addresses the main issue, and that the second sentence can be placed in the supporting justification.
36. Page 49 – **Policy H2 (Placement of Affordable Housing)** – clauses 1) and 2) can be satisfactorily combined to address the planning application requirements,
37. Page 50 – **Policy H3 (Affordable Housing Exception Sites)** – to be accurate, these sites are generally known as “*Rural Exception Sites*”, as they are always outside the defined settlement boundaries.

38. Page 52 – **Policy H4 (Housing Mix & Balanced Community)** – it is not advisable to use the phrase “*household types and sizes*” and to re-phrase this to “housing types and sizes”.
39. Page 52 – **Policy H5 (Residential Care Development)** – the title of this sub-section “*Retirement Living*” is much wider than Policy H5, which is only addressing specialist residential care homes. We would advise changing the title of the sub-section accordingly. The entry point to the policy numbered 1. is not necessary. (If the policy is intended to also address developments for people aged over 55/60, such as those offered by developers such as McCarthy & Stone, then it will need to be substantially redrafted).
40. Page 53 – **Policy H6 (Housing Development Requirements)** – this policy could be better drafted, as the principal clauses are 2) and 3) – and the reference in clause 3) to “*b) above*” should be to “2 b) above”. The less important clauses are 1) and 4). We therefore suggest that the sequence should be clauses 2), 3), 4) and 1). Furthermore, clause 1) could well apply to all developments rather than just to “*affordable home residents*”. The supporting justification on page 52 will need some amendments, if the policy is redrafted as suggested.
41. Page 54 – **Policy H7 (Custom-Build and Self-Build Homes)** – clause 1) is contradictory as it refers to developments of both over 50 homes and over 25 units – unless it is intended to apply to phasing (i.e. each phase of over 25 units) on schemes of over 50 homes. It is presently unclear.
42. Page 55 – **Policy H8 (Community-Led Housing)** – in clause 2) the phrase “*Government-defined affordable housing*” presumably refers to the broadened tenures of affordable housing, as now defined in the NPPF. We would suggest adding this clarification to the supporting justification. The policy itself refers to “small-scale sites”, but without a definition in terms of size/number of units. It may be advisable to add such a definition, in view of the opportunity for some open-market housing.
43. Page 56 – **Policy H9 (Principal Residence Requirement)** – parts of this policy are in the form of statements, e.g. clause 1), rather than policy requirements. It is recommended that the policy be redrafted to set out the requirement for a Principal Residence condition (and possibly a S.106 legal agreement in certain circumstances) as part of any planning permission granted for new housing. This then raises the issue of whether the requirement applies to all new open market residential development throughout the Plan area, or to parts of the Plan area and to certain categories of residential development. For example, would it apply to housing for elderly persons? We consider that, to be effective, the policy needs to be much clearer as to the planning requirements, which is largely presently within clause 3). We consider that the majority of clause 4) can be placed within the supporting justification.

Important Note: It is critical that the **evidence** for this policy shows not only what the situation is with regard to the number of second homes, but also demonstrates the scale of the impact and the harm that this does. In terms of scale, evidence should show how the Neighbourhood Plan area compares to the Dorset average. It would also be useful to demonstrate show how the situation has changed over time – i.e. to show how the

proportion of second homes has changed as population grows. It is best to take a long term view of this, and we would suggest looking at the 1991 census as well as the 2001 and 2011 census data.

As mentioned above, it is necessary that the policy will also need to consider and justify whether a principal residence policy should operate over the whole Neighbourhood Plan area, or whether it is only justified in specific parts of the Plan area. Overall, it is essential that the Examiner is able to conclude, from the evidence base of the Plan, that the policy is a necessary and proportionate response to a particular local issue of some significance to those living in the Neighbourhood Area and thus meets the Basic Conditions.

44. Pages 57-71 – **Design for Living** – as a specific comment on this section of the Plan, and which also applies to many other parts of the Plan, there are no cross-references within the section back to the overall Plan objectives. In this case, it is Plan Objective 07, and it becomes slightly confusing for the user of the Plan as this section introduces 11 Design Objectives. We recommend that each policy section of the Plan should make appropriate references to the relevant Plan Objectives that are being addressed, in order to demonstrate the relationship of those objectives to policies. In the case of the Design for Living section, we suggest that it refers to “Policy Themes” or “Design Guidance” rather than “Design Objectives”, to avoid any confusion. This mainly affects page 49.
45. Page 60 – **Policy D1 (Harmonising with the Site)** – our only comment is “*the existing route network*” could be better defined, to make clear that it relates to roads, footpaths and cycleways.
46. Page 60 – **Policy D2 (Programme of Consultation)** – we would only comment by querying whether community consultation should take place “*across the neighbourhood plan area*” which infers the whole of the Plan area. This is potentially a more demanding requirement than that requested by West Dorset District Council, and we imagine that such consultation should be rather more focused on the locality of the proposed developments
47. Page 61 – **Policy D3 (Internal Transport Links)** – the policy could be better drafted, if it commenced with a phrase such as “*Proposed new residential developments should incorporate the following:*” and then list the requirements below as: “*1) walkable and accessible neighbourhoods, etc. 2) good access to community facilities such as schools, etc*”.
48. Page 62 – **Policy D4 (Mix of Uses)** – this is a well drafted policy, and our only comment is that the word “*presented*” in clause 2) could be changed to “*required*”.
49. Page 63 – **Policy D5 (Efficient Use of Land)** – the number 1. can be removed from the commencement of the policy.

50. Page 64 – **Policy D6 (Definition of Streets and Spaces)** – again, this policy would be better drafted if it commenced with an opening phrase such as: *“Proposals for new residential development in the Plan area should incorporate:”*, and then adjust point nos. 1, 2 and 3 accordingly.
51. Page 65 – **Policy D7 (Creation of Secure Areas)** – the policy should make it clear that it relates to new residential developments, and the opening words to clause 1) can be adjusted to make that clear.
52. Page 66 – **Policy D8 (Contributing to Local Character)** – this is another policy which is a numerical list of requirements 1)-7). These requirements should be prefaced by a policy statement along the lines of *“Proposals for new residential development in the Plan area should seek to maintain and enhance local character by:”* and then adjust 1)-7) accordingly (mainly by omitting *“new development”* in some criteria). Whilst we note that this policy is intended to apply to new residential developments, we would comment that there is not an equivalent design policy for non-residential developments, although some policies (e.g. CoB1) do include elements of design guidance.
53. Page 67 – **Policy D9 (High Quality Architecture)** - the number 1. can be removed from the commencement of the policy. The phrase *“solid to void ratio”* is an architectural term, rather than a planning term, and could be replaced by *“relationship of wall space and windows”*.
54. Page 68 – **Policy D10 (Environmental Performance)** – this is a long and relatively complex policy, which is again a numerical list of requirements 1)-5). We consider that it should be prefaced by a policy statement along the lines of *“Proposed new residential developments in the Plan area should incorporate the following measures to improve their environmental performance: ”*, and then adjust criteria 1)-5) accordingly. We also consider that certain criteria can be shortened, without losing any effectiveness. For example, criterion 2) could be shortened to end at *“construction”* (1st word of line 2).
55. Page 69 – **Policy D11 (Mitigation of Light Pollution)** – as noted in the preceding supporting justification, not all of the external lighting schemes require planning consent. We suggest that the policy be slightly redrafted to state that *“Proposals for external lighting schemes in any new development should seek to minimise light pollution by....etc.”*.
56. Page 70 – **Policy D12 (Building for Life)** – the reference to the Building for Life should include their origin, namely the Design Council.
57. Page 71 – **Policy D13 – (HAPPI Principles)** – the title *“HAPPI Principles”* is not yet in common usage in planning, and we suggest that the title of the policy be amended to *“Housing for the Elderly”*.
58. Page 78 – **Monitoring and Review** – the phrase *“local development framework”* should be replaced by *“statutory development plan”*.

59. **General** – the Plan is a comprehensive document, containing 52 policies. Our principal concern is that the Plan’s policies show several different drafting styles, and this leads to the Plan being less cohesive than it could be. We suspect that this reflects the work of different authors. Some policies are extremely brief, whilst others are very detailed. As noted above, some are rather more in the form of statements than being planning policies, and we recommend redrafting in such cases. These different styles are also reflected in the extent of the supporting justification to some parts of the Plan. By way of example, there is much more in the Plan regarding Shopfront Design than there is on Landscape and Biodiversity, which tends to not reflect current Government national policy objectives, c.f. the recent Spring Statement¹. This may reflect the community’s priorities, but we do suggest that following this Health Check the Steering Group take the opportunity to look across the Draft Plan as a whole and undertake an editing exercise to consider whether the overall “balance” of the Plan can be improved.
60. Our main focus has been on undertaking a detailed assessment of the Plan. However, we have also considered the other supporting documents. We have pointed out above certain inconsistencies between the Basic Conditions Statement (note correct title) and the Plan. More importantly, the Basic Conditions Statement is still incomplete, and it needs to demonstrate how the preparation of the Plan, and the Plan itself, satisfies each of the Basic Conditions individually.
61. Finally, we recognise that the above comments will involve some amendments to the Plan and its contents. However, we commend the time and effort that has clearly been put into the Plan to date and we consider that if the Plan can be amended to incorporate our suggestions, then it will have a very good prospect of being submitted in due course for a successful Examination. We have also sought, where appropriate, to make suggestions which will improve the document for future users of the Plan.

FILE NOTE:

Follow up conversation Lee Armitage , Director Friday 22 March 2019 with Intelligent Plans to clarify what they see as being required to address NPPF 2019 and Local Plan comments. Advised that inserting cross reference to the companion documents; Basic Condition Statement and Consultation Report, would be a sufficient response that does avoids lengthy discourse on compliance. Suggest we also reference NPPF/ SD in policy text for BANP policies most

¹ View at: <https://www.gov.uk/government/topical-events/spring-statement-2019>

relevant to SD delivery. With respect to the incomplete Basic Conditions Statement text should be inserted to explain the community consultation undertaken and confirm that the 4 basic conditions set down by NPPF have been delivered.. Adding a conclusion in essence..