

Reviewing the Plan for Purbeck's future

Purbeck Local Plan Partial Review
Kimmeridge Settlement Boundary Review, January 2015



Thriving communities in balance
with the natural environment

This document contains two parts:

Part A is specific to Kimmeridge, showing the Council's proposed amendments to the settlement boundary.

Part B is an appendix common to all of the settlement boundary reviews and provides the Council's approach to the review. This sets out the background to the district-wide settlement boundary review, for example discussing why the Council supports using settlement boundaries, and provides criteria for what should or should not be included within a settlement boundary.

The Council is inviting comments on both parts of this document as part of the Partial Review Issues and Options Consultation which runs from 29 January to 13 March 2015. The Council will update this document after every consultation stage.

Contents

Part A: Assessment	4
Introduction	4
Map of the existing and proposed settlement boundary	5
Table of proposed changes to the settlement boundary	6
Part B: Approach	7
Introduction	7
What are settlement boundaries?.....	7
Where are settlement boundaries in Purbeck?.....	7
Why have settlement boundaries?	8
What are the advantages and disadvantages of defining settlement boundaries?.....	8
An option other than defining settlement boundaries	9
Why does Purbeck District Council use settlement boundaries?	9
Why is Purbeck District Council reviewing settlement boundaries?	10
Who can review settlement boundaries?	10
What are the aims of the settlement boundary review?	10
Assessment criteria for inclusion in a settlement boundary	10
‘Permanence’ of a settlement boundary and deciding where to draw it.....	10
Removing or introducing a settlement boundary	12
What should be in a settlement boundary?.....	13
What should not be in a settlement boundary?	13
Anomalies.....	14
Next steps	15
Contact	16

List of figures

Figure 1: Cuts through garden (settlement boundary in black).....	11
Figure 2: Exclusion of part of the rear gardens (settlement boundary in black).....	12

Part A: Assessment

Introduction

1. The settlement boundary for Kimmeridge was established through a previous Purbeck plan. Policy LD and other policies of the Purbeck Local Plan Part 1: Planning Purbeck's Future (PLP1) commit Purbeck District Council (PDC) to reviewing the boundary.
2. Part A of this document shows how the Council has applied the criteria for assessment, as set out in Part B, to determine where the settlement boundary of Kimmeridge should now lie.
3. Officers from Purbeck District Council's planning policy team undertook site visits during the summer of 2013 to assess the existing settlement boundary. A number of recommended alterations were drafted and considered by the Council's Design & Conservation Officer, Senior Landscape Officer and the Development Management Team. Refined alterations were presented to the Kimmeridge's parish clerk during the autumn of 2013. The District Council took into account the parish council's comments before publishing this paper for consultation in January – March 2015 as part of the consultation on the Partial Review of the PLP1 Issues and Options.
4. This background paper forms part of the Issues and Options consultation material. Future versions of the background paper will take into account the results of this consultation. The background paper will also be updated as other consultations are completed. Each stage of consultation will help shape the final settlement boundary, which will be examined by an independent planning inspector. If the inspector finds the plan sound and the District Council adopts it, the settlement boundary changes will become formally established.
5. Part A of this background paper includes an area map of the settlement boundary around Kimmeridge. The existing settlement boundary is shown in a solid black line and proposed changes are numbered KIM1 – KIM4 in a red dotted line. Part A also includes a table of the recommended changes to the settlement boundary and a short explanation of why each change is proposed.

Key:	
Existing settlement boundary	—
Proposed settlement boundary	- - -

6. **Note:** The District Council is currently assessing the potential for additional housing growth through the Partial Review of the Purbeck Local Plan Part 1. Should the Council decide that additional growth should take place at Kimmeridge, the settlement boundary will require further adjustment in order to accommodate any new site allocation(s) and the Council will consult the public on any options. The choice of sites available to the Council is included in the Council's Strategic Housing Land Availability Assessment (SHLAA), which can be viewed here:
<http://www.dorsetforyou.com/localplan/monitoring/purbeck>

Map of the existing and proposed settlement boundary

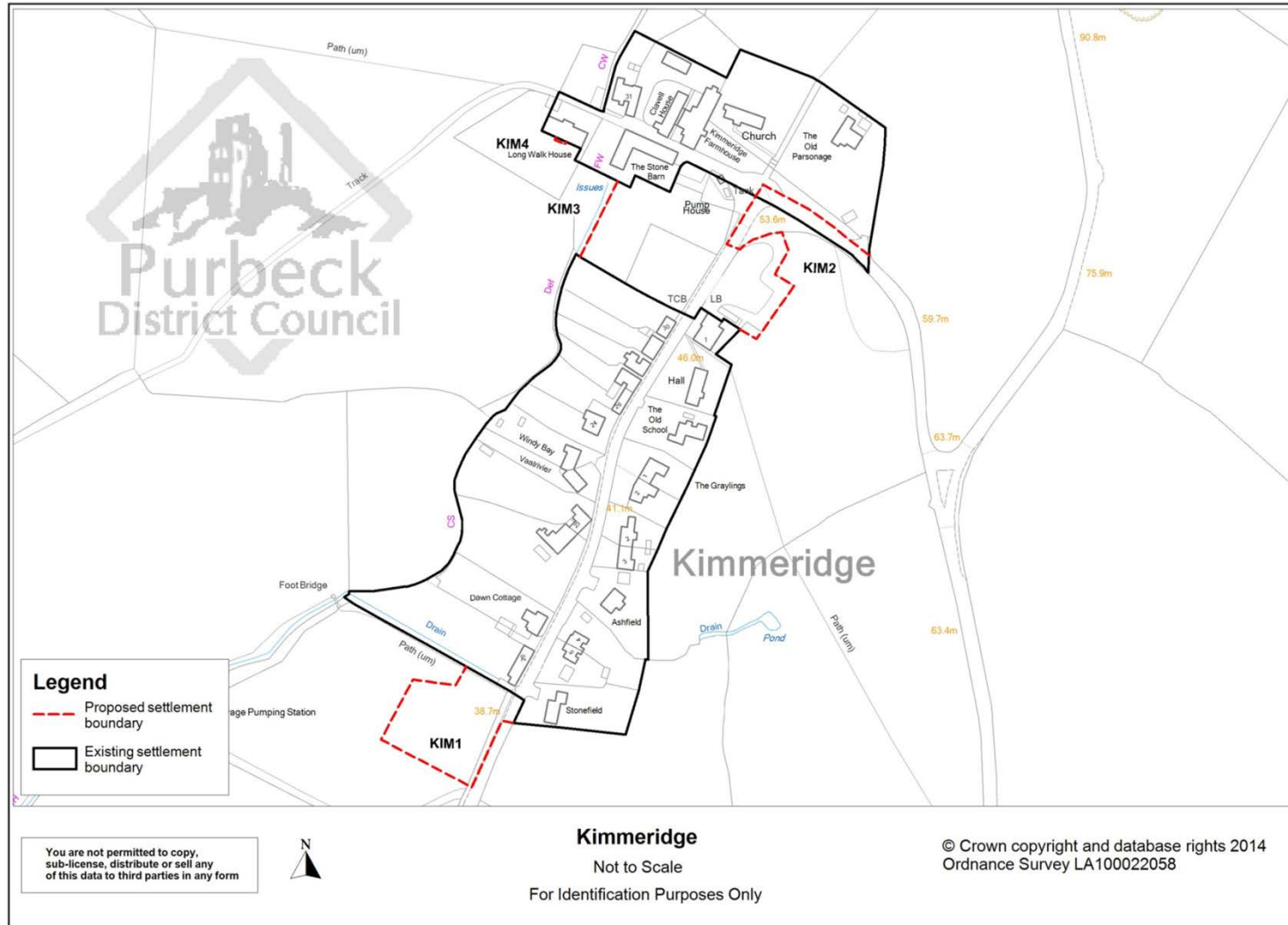


Table of proposed changes to the settlement boundary

Reference	Description	Recommendation	Criteria
KIM1	New play equipment site	Include because it will have a clear social link to the village when it is built. However, planning policies should also designate it as part of the formal recreation stock in order to protect it from future development.	d
KIM2	Car park and road	Include car park because of its clear social and economic link to the village. Land opposite has planning permission and is recommended for inclusion, so it makes sense to include this as well. PDC does not believe this is an important landscape gap. The road should be excluded from the settlement boundary.	d & a
KIM3	New museum site	Include this land, which has an extant permission for a new museum, which will have clear social and economic links to the village.	d
KIM4	Long Walk House	Adjust boundary so that it passes around the bay window on the southern elevation of the house.	m

Part B: Approach

Introduction

What are settlement boundaries?

1. The purpose of a settlement boundary is both to mark the limits of towns and villages and also to define where planning policies apply. Settlement boundaries are a policy tool to contain a settlement and prevent it from unplanned expansion into the countryside. Within a settlement boundary it is often easier to obtain planning permission for new buildings and uses of land, whereas development is more strictly controlled in the countryside.

Where are settlement boundaries in Purbeck?

2. The following towns and villages in Purbeck have settlement boundaries:

- Bere Regis
- Bovington
- Briantspuddle
- Corfe Castle
- Chaldon Herring
- Church Knowle
- East Burton
- East Lulworth
- Harmans Cross
- Kimmeridge
- Kingston
- Langton Matravers
- Lytchett Matravers
- Lytchett Minster
- Moreton Station
- Ridge
- Sandford
- Stoborough
- Studland
- Swanage
- Upton
- Wareham
- Wool
- Worth Matravers
- West Lulworth
- Winfrith Newburgh

3. The following villages in Purbeck do not have settlement boundaries:

- Affpuddle
- Bloxworth

- Coombe Keynes
- East Knighton
- East Stoke
- Holton Heath
- Morden (East and West)
- Moreton
- Organford
- Worgret

Why have settlement boundaries?

What are the advantages and disadvantages of defining settlement boundaries?

4. Advantages of settlement boundaries:

- Settlement boundaries provide an easy to understand tool that gives certainty for landowners, developers and the community over where development is likely to be acceptable and where it is not.
- Settlement boundaries can direct development to specific parts of the District and this can help increase the viability of local services, as well as encourage new ones to establish. Increased availability of services can lead to increased sustainability of settlements through reducing the need for residents to travel.
- Settlement boundaries ensure a more plan-led and controlled approach to future development, providing a firm basis for protecting the countryside from unnecessary encroachment.
- Settlement boundaries can allow the development of sites that are too small to be identified as formal allocations in a local plan.
- It is often easier to obtain planning permission for domestic outbuildings within a settlement boundary than outside, where they are more strictly controlled.

5. Disadvantages of settlement boundaries:

- By restricting development, settlement boundaries artificially increase land values within the settlement compared with land outside, as the likelihood of successfully gaining planning permission differs. Where land directly adjoins a settlement boundary, landowners often give it 'hope value' because they are waiting for the possibility of the boundary being realigned at some point in the future to accommodate future growth of the settlement. This can mean fewer rural exception sites (affordable housing sites) coming forward, as the landowner may wish to take a longer term view.

- Settlement boundaries can lead to a general presumption that development within those boundaries is acceptable. This can result in pressure for the development of valued open spaces within settlement boundaries but where development may not be appropriate. However, this can be overcome through ensuring that any open space valued by the community is protected through formal designation in a local plan.
- The use of settlement boundaries can lead to the perception that they result in cramming development into already well-developed settlements, e.g. within the gardens of houses. This can result in a perceived detrimental effect to the character of the settlement. This is why Purbeck District Council's planning policies are strict in ensuring that any new development is well designed and reflects local density and layout.
- Settlement boundaries can be crude and inflexible. For small rural communities with a character of dispersed development, it can be difficult to draw a logical boundary around the village.
- One consequence of not having a settlement boundary in a rural village is that new housing would be restricted to rural exception sites. This would be undesirable for villages that would like to see more housing for sale on the open market.

An option other than defining settlement boundaries

6. Settlement boundaries are not the only way to direct development towards appropriate locations.
7. It would be possible to construct a planning policy in a local plan or neighbourhood plan that sets out the specific planning criteria used for assessing the appropriateness of a site for a particular kind of development. For example, decisions would be made in the context of the known current needs in Purbeck for each type of development proposed and referring to other planning considerations, such as the effect on neighbours, flood risk, environmental constraints, etc.
8. The advantage of this approach is that it would increase flexibility in deciding where development could come forward. However, the disadvantage would be the lack of clarity and certainty for the public and the development industry about where development may occur. It would also be difficult for the District to be precise about how it intends to meet its housing target.

Why does Purbeck District Council use settlement boundaries?

9. Settlement boundaries help direct development towards towns and villages and therefore help protect the countryside from inappropriate development. They have clear social, economic and environmental advantages and can promote sustainable development through ensuring that jobs, homes, facilities and services are focussed towards certain locations. The certainty they provide to members of the public and the development industry in knowing where development could occur in principle is a significant advantage. The advantages of settlement boundaries outweigh those of the alternative approach of a criteria-based policy.

Why is Purbeck District Council reviewing settlement boundaries?

- Up-to-date and robust settlement boundaries are important when it comes to identifying where development should occur. Policy LD and policies NW, NE, CEN, SE and SW of the Purbeck Local Plan Part 1: Planning Purbeck's Future (PLP1) commit the Council to reviewing the District's settlement boundaries.
10. The Council has used the settlement boundaries from the Purbeck District Local Plan Final Edition 2004 as the starting point for the review.

Who can review settlement boundaries?

11. This background paper provides the criteria for assessing where the settlement boundary should lie. The criteria will be used by Council officers when they undertake individual settlement assessments. The Council advises that if any town or parish councils wish to produce a neighbourhood plan and utilise the assessment criteria for settlement boundaries to contact the Council for advice on undertaking such assessments.

What are the aims of the settlement boundary review?

12. The aims are:
- To ensure that settlement boundaries are logical and easy to identify on the ground; and
 - To identify what parts of the settlement should and should not be included within a settlement boundary.
13. Any changes that occur to settlement boundaries as a result of the settlement boundary review will be formalised through a statutory process involving public consultation and then examination by an independent inspector before being adopted by either Purbeck District Council in a local plan or the relevant neighbourhood plan group in a neighbourhood plan.

Assessment criteria for inclusion in a settlement boundary

'Permanence' of a settlement boundary and deciding where to draw it

14. Settlement boundaries should be logical and easily identifiable, normally following property boundaries. However, the ease with which they can continue to be identifiable on the ground can change over time. For example, hedgerows can be removed, die, or grow into woodland and become less useful to show where the boundary line lies.
15. **Criterion (a):** permanence. The more the boundary feature is prone to swift change over time (i.e. dynamic), the less useful it will be as a permanent settlement boundary. Therefore, manmade boundaries made out of durable materials are more likely to remain unchanged (i.e. more static) and are consequently more robust. For example, the inside line of an adopted road is likely to act as a more permanent feature than a hedgerow in a domestic garden. However, whilst a more permanent boundary is

preferable to a less permanent one, this must be balanced against the relationship with the urban area (see criteria (b) below).

16. Figure 1 below shows how the local authority has drawn a settlement boundary that cuts through a property's garden and then arbitrarily runs parallel to the road, without following any physical boundary that would be easily identifiable on the ground. It would be more logical for it to follow the garden fence and the inside edge of the road, as they are more recognisable/permanent features.



Figure 1: Cuts through garden (settlement boundary in black)

17. **Criterion (b):** relationship with the urban area. There is an important judgement to make between balancing the permanence of the feature with whether or not the feature is an appropriate edge to the settlement. For example, it would not be appropriate to identify a road or an ownership boundary that contains a large garden as a permanent boundary when that boundary is in fact some distance from the truly urbanised area of the settlement. In identifying it as a boundary, this could lead to backland development that could cause an undesirable sprawl of the settlement.
18. In such instances where there is no available physical boundary, it would be better to show a line on a map that denotes the appropriate limits of the settlement. Whilst this line would not be aligned to anything physical on the ground, it would be more appropriate than bringing land into the settlement and allowing sprawl. Any decision to do this must be fully justified, however. This is because the robustness of the boundary may be questioned at a future planning inquiry and therefore there must be a sound reason behind why it does not follow a physical feature.
19. Figure 2 below illustrates a scenario where the local authority has excluded part of the rear gardens of several properties in order to prevent development that could cause an incursion into the countryside and a westward sprawl of the village. Whilst the eastern

field boundary/bottom of the gardens would be easily identifiable as a boundary, this does not outweigh the benefit of preventing development or a proliferation of domestic outbuildings that could lead to an undesirable sprawl of the village.



Figure 2: Exclusion of part of the rear gardens (settlement boundary in black)

20. In the long term, there may be an argument that nothing is truly permanent. However, local plans usually have a lifetime of around 15 years, which means that settlement boundaries will be reviewed when the next plan is prepared. Therefore, it is unlikely that the general extent of boundaries would change over such a relatively short period of time. But the fact that there is potential for physical features such as hedgerows to weaken over time, or be removed altogether, shows the importance for reviewing settlement boundaries to ensure that they are as robust as possible.

Removing or introducing a settlement boundary

21. **Criterion (c):** alteration to the settlement hierarchy. Policy LD: General Location of Development of the PLP1 directs development towards the most sustainable locations in accordance with a settlement hierarchy. This hierarchy puts the largest settlements at the top and villages without a settlement boundary at the bottom.
22. The Planning Inspector who examined the PLP1 concluded that the Council's approach to spatial distribution of development is sound. Therefore, the Council does not intend to remove or introduce any settlement boundaries through the Partial Review of the PLP1. Therefore, this criterion is unlikely to be used by this Council.
23. However, town and parish councils can prepare their own neighbourhood plans. Neighbourhood plans are not a tool to stop development and therefore should not be used to remove settlement boundaries. However, they could be used to introduce a settlement boundary because neighbourhood plans can promote more development

than has been identified in the PLP1. The Council is happy to provide advice to any parishes thinking of creating their own neighbourhood plan which intends to use this approach.

What should be in a settlement boundary?

24. **Criterion (d):** reflecting uses and development that have a clear social/economic relationship with the settlement (including sites with planning permission that is not yet implemented). Settlement boundaries will normally include uses and buildings (including those with planning permission that are not yet built¹) that have a clear social or economic function and relate better to the built form of the settlement than the countryside. This will usually include residential properties, services, community facilities (shops, schools, community buildings, health services), and employment development.
25. It is important to note that the purpose of the settlement boundary review is not to regularise unauthorised development and nor is it a means to allocate substantial areas of land for development. The latter should be the subject of specific allocation policies.

What should not be in a settlement boundary?

26. **Criterion (e):** outlying development. Settlement boundaries should never include small pockets of development that are clearly detached from the settlement. Neither should they include rural exception sites for affordable housing. This is because rural exception sites must be outside of settlement boundaries by definition and by including them within settlement boundaries, this could encourage any future intensification or redevelopment of the sites to be for market housing.
27. The following should not normally be inside a settlement boundary:
28. **Criterion (f):** open spaces at the edge of settlements. These might include playing or sports fields, allotments, general amenity land and cemeteries. Where such open spaces are surrounded by the built up area of the settlement, they should be included within the settlement boundary but designated as open space to protect them from development.
29. **Criterion (g):** large, open residential gardens or adjacent paddocks. Their inclusion and possible development could harm the structure, form and character of the settlement.
30. **Criterion (h):** important gaps. Where a settlement is fragmented, the open gaps in between may be important features that should be retained². Important gaps may include areas that might, in some instances, otherwise be considered as part of the settlement, for example hardstandings and car parks. Assessing whether to include or exclude such areas will need to take into account their function, any buildings they are associated with and their social/economic relationship with the settlement. This will then

¹ However, if there are reasons why such permissions may not be implementable within the plan period, they should be excluded from the settlement boundary.

² It is important to bear in mind, however, that just because there is a gap, this does not necessarily make it important in landscape or townscape terms.

need to be balanced with the potential harmful impact that developing it would have on landscape/townscape grounds.

31. **Criterion (j):** uses that would not normally be found within a settlement boundary. For example, agriculture, forestry, equestrian development, minerals extraction/landfill, water features, public utilities, (reservoirs, sewage treatment works and substations) unless they are wholly surrounded by the built up area of the settlement.
32. **Criterion (k):** camping and caravanning sites. These are excluded from the settlement boundary. However, any part of such sites that have a year round permanent residential use, are permanent buildings and are well related to the built form of the settlement should be considered for inclusion in the settlement boundary.

Anomalies

33. **Criterion (m):** anomalies. There will be occasions where, for example, a development that has not required planning permission has led to a domestic extension extending beyond the existing boundary and, consequently, the boundary now passes through a house. There may also be cases where mistakes were made when the original settlement boundary was established or where the explanation for their exclusion or inclusion within the settlement boundary is unclear when the situation is examined on the ground. These cases clearly need to be rectified. A decision in such cases can only be made following an assessment on a case by case basis. The decision to include or exclude must be clearly noted and justified in the assessment for that specific settlement.

Next steps

34. In order to adopt any changes to settlement boundaries, there are a number of stages to follow. This can be through either the Partial Review of the PLP1, or through neighbourhood plans³.
35. Stages to follow to adopt settlement boundary changes through the Partial Review:
 - PDC puts together a paper for each parish showing all proposed changes.
 - PDC consults the public on proposals for boundary adjustments at the Issues and Options stage in early 2015.
 - Following consultation feedback, where necessary, PDC meets with town and parish councils to readjust boundaries. Further public consultation may be required if readjustments are suggested. If this occurs, this may be in early 2016.
 - PDC includes proposed boundary changes in a draft version of the plan, seeks public comment around autumn 2016 and submits the proposals to the government for examination.
 - Inspector examines the plan around summer 2017.
 - PDC adopts the plan and the changes become statutory for determining planning applications in late 2017.
36. Statutory stages to follow to adopt settlement boundary changes through a neighbourhood plan:
 - Neighbourhood plan group reviews the boundary with support from PDC officers.
 - Neighbourhood plan group consults the public on proposals for boundary adjustments as part of preparing initial draft plan.
 - Neighbourhood plan group includes proposed boundary changes in a pre-submission draft version of the neighbourhood plan and consults the public.
 - Neighbourhood plan group submits the neighbourhood plan to PDC to arrange an examination. PDC then publishes the plan with an opportunity for further public comments.
 - Plan is independently examined.
 - PDC coordinates a referendum. If supported by more than 50% of voters, PDC adopts the neighbourhood plan and the settlement boundary changes become statutory for determining planning applications.

³ The Swanage settlement boundary is being reviewed separately through the Swanage Local Plan, as explained in the Swanage settlement boundary review background paper.

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