

**For office use only**

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# 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	Mr	
First Name	Michel	
Last Name	Nublat	
Job Title( <i>where relevant</i> )		
Organisation ( <i>where relevant</i> )	Landowner	
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 Policy 15 - Local Green Spaces

Green Infrastructure B.78 & B.79

**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.

Please see & read below

*Continue on a separate sheet if necessary*

## Planning Policy,

North Dorset District Council,

Nordon, Salisbury Road,

Blandford Forum, DT11 7LL

### North Dorset Local Plan Part 1 - Main Modifications Consultation - September 2015

Name: Michel Nublat - ID 661

The object of this statement is to:

1. Comment upon the modifications as listed in the consultation documents MHD051 and MHD053;

2. Support my two representations dated January 2014 and February 2015 in which I presented strong evidence supporting the argument that 'saved' policy 1.9, regarding the designation of IOWA, is out of date thus its inclusion in the Local Plan Part 1 2011 – 2031 is unjustified and consequently renders this part of LP1 unsound.

▪ For the reasons stated in my previous two representations I continue to consider unjustified and out of date the saving of policy 1.9, regarding the designation of IOWA – below is an extract taken from the evidence I presented in my representation dated February 2015;

▪ Please see below an extract from the minutes of the North Dorset District Council management committee meeting held on 18<sup>th</sup> June 2013:

*"The Committee were advised that the Planning Policy Manager had said that the development of the neighbouring Phoenix House **fully within the IOWA had affected the relevance of the designation, so there was no objection to this application.**"*<sup>1</sup>

*It is important that a review of the IOWA sites **that remain undeveloped** is undertaken to ensure that those which require protection remain protected*<sup>2</sup>

It is quite clear therefore the designation IOWA has for some time been irrelevant, **many designated IOWA have already been develop and consequently renders the designation redundant** - so why continue to save it?

▪ I also consider it **unfair and prejudicial** to those landowners of designated IOWA who have been on the sidelines, respecting the designation, waiting to invest in sustainable developments, whilst others have had their developments proposals on designated IOWA sites approved.

▪ Although the modifications set out in MHD051 and MHD053 propose a more relaxed approach to the IOWA, which I welcome, I consider it unnecessary to review, once again, IOWA sites - this has already been done exhaustively through the Strategic Housing Land Availability Assessment (SHLAA), published and updated in 2011.

*The examination of the adopted Local Plan 2003 the inspector recommended a review of IOWA designations particularly their contribution in visual or amenity terms to the public areas within a town or village with a view to deleting those which did not require complete protection. This review will be undertaken as part of Local Plan Part 2 or through Neighbourhood Plans.*<sup>3</sup>

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<sup>1</sup> North Dorset District Council Minutes of the Development management Committee Meeting – held on Tuesday 18th June 2013 – Appendix A Application :2/2012/1479 – Officer Appraisal page 3

<sup>2</sup> MHD051 Sustainability Appraisal Incorporating the Strategic Environmental Assessment of the North Dorset Local Plan Part 1 – Post Submission Changes – including Main Modifications – July 2015 MM13:Green Infrastructure B78 page 57

<sup>3</sup> MHD053 North Dorset Local Plan part 1 – Examination Schedule of Additional Changes July 2015 – modification 7/15/12 Policy 15 page 187

The SHLAA was a technical study and an assessment of the land that was deliverable and developable within North Dorset for the next 10-15 years.

*This supply of sites should be maintained so that land supply does not form a barrier to the delivery of housing.*<sup>4</sup>

*The SHLAA provides information on the opportunities that exist across a housing market area for meeting the need for housing. **It constitutes an important part of the evidence base** for the policy forming process in relation to housing delivery with the aim of ensuring that land availability is not a constraint to the overall delivery of housing.*<sup>5</sup>

The community of North Dorset were invited to form a panel to represent key stakeholders groups which included Campaign to Protect Rural England, Dorset Community Action, Natural England, Environment Agency, Spectrum Housing Group, architects, estate agents, small and volume house builders.

*The role of this panel was to aid in the shaping of the method to be used across the HMA through their expertise and views.*<sup>6</sup>

Following an exhaustive assessment process, which included assessments upon the impact on the key townscape or landscape, 37 'included' sites and 28 'excluded' sites were selected.

The 'included' sites, some of which were designated IOWA, were those sites assessed to have development potential. The 'excluded' sites were those considered unsuitable for development. The 'included' designated IOWA sites although considered to be suitable and developable were also listed as unavailable until the IOWA designation was reviewed in a future local plan.

Listed below is a brief outline of the assessment matrix and the criteria, designed for the SHLAA, by which each site brought forward was analysed to determine its suitability for future development.<sup>7</sup>

- **Locational suitability / creation of sustainable, mixed communities**
  - Accessibility by foot to local services / Accessibility to public transport services / Accessibility to higher level services by public transport.
- **Policy restrictions**
  - Designations – IOWA not considered / included as a criteria.
- **Physical problems or limitations**
  - Access / Infrastructure / ground conditions / flood risks / ground water source protection / hazardous risk.
- **Potential impacts - Townscape/ landscape character - development at this site may have;**
  - a significant positive impact on the key townscape or landscape characteristics the area;
  - a neutral impact on the key townscape or landscape characteristics on the area;
  - a neutral impact on the key townscape or landscape characteristics on the area;
  - (Within or affecting a Conservation Area) a significant negative impact on the key townscape or landscape characteristics of the area.
- **Environmental Conditions**
  - Effect on prospective residents;
  - Site is not affected by road noise, un-neighbourly uses, power lines.

*This methodology was endorsed by the panel members and local authority representatives and put out for wider consultation in December 2007.*<sup>8</sup>

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<sup>4</sup> NORTH DORSET STRATEGIC HOUSING LAND AVAILABILITY ASSESSMENT 2010 Published August 2011 – item 2.9 page 5

<sup>5</sup> NORTH DORSET STRATEGIC HOUSING LAND AVAILABILITY ASSESSMENT 2010 Published August 2011 – item 2.2 page 4

<sup>6</sup> NORTH DORSET STRATEGIC HOUSING LAND AVAILABILITY ASSESSMENT 2010 Published August 2011 – item 4.7 page 15

<sup>7</sup> NORTH DORSET STRATEGIC HOUSING LAND AVAILABILITY ASSESSMENT 2010 Published August 2011 – Appendix H page 66

<sup>8</sup> NORTH DORSET STRATEGIC HOUSING LAND AVAILABILITY ASSESSMENT 2010 Published August 2011 – item 4.7 page 15

Should any designated IOWA or other sensitive site not have been brought forward for assessment a section of The Natural Environment in North Dorset in the LP1, contemplates development and the impact upon the landscape and provides controls for submittals for development proposals in sensitive areas.

*“Where there is likely to be a significant impact on the landscape, development proposals should be accompanied by an assessment of the impact on the landscape character such as landscape and visual impact assessment.”<sup>9</sup>*

The NPPF requires local planning authorities to look for solutions rather than problems and decision-takers at every level should seek to approve applications for sustainable development where possible.<sup>10</sup>

## SUMMARY OF STATEMENT

- I maintain, as I have demonstrated in all my representations with substantial evidence, that the designation IOWA is out of date, consequently its inclusion in the Local Plan Part 1 2011 – 2031 is unjustified and thus renders this section of the Local Plan Part 1 2011-2031 unsound.
- The methodology of the SHLAA, as highlighted above, was thorough, it was endorsed by local authority representatives and by a panel with expertise and experience that represented a cross section of stakeholders. Consequently the assessments and lists of included and excluded sites need to be taken as valid and used as a working document.
- The Local Plan’s 2003 inspector’s recommendations requested a review of IOWA designations. This was in fact done through the SHLAA, - I question and dispute the modifications calling for yet another review of designated IOWA – this would be ignoring solutions in place – the SHLAA assessments and the lists of included and excluded sites;
- Only those sites that have yet to be brought forward by their owners and yet to be assessed, should be subject to assessments using the same SHLAA matrix and criteria.

Signature: Michel Nublat

Date: 19 September 2015

*If submitting the form electronically, no signature is required.*

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<sup>9</sup> North Dorset Local Plan Part 1 0 2011-2036 Pre-submission Document – 4.42.page 53

<sup>10</sup> National Planning Policy Framework – paragraph 187 page 45