

North Dorset Local Plan Part 1 Examination

Statement submitted on behalf of the South Gillingham Consortium

Issue 8: Gillingham, including Gillingham Southern Extension

Respondent reference number: 2984

February 2015

Issue 4: Gillingham, including Gillingham Southern Extension (policies 17 and 21)

Introduction

1. This statement is submitted on behalf of CG Fry & Son, Welbeck Land, Taylor Wimpey, and the landowners at Newhouse Farm. Together the land owners and developers control approximately 102.3 hectares of land to the south of Gillingham, comprising 82% of the total site area within the proposed strategic allocation for the southern extension of Gillingham. These four parties are working together as a consortium to ensure a co-ordinated approach to the delivery of the Gillingham Strategic Site Allocation (SSA). This statement has been prepared jointly by the professional advisors of these companies and landowners.
2. This statement addresses selected Inspector's questions under Issue 8. It should be read in conjunction with the statements prepared by the Consortium in respect of Issue issues 1, 2, 3, 4, 5 and 8. The Consortium is working with the council to agree a Statement of Common Ground and will endeavour to submit this to the Programme Officer no later than two weeks before the Issue 8 (Gillingham) hearing session on 18 March 2015..
3. Given that the SoCG had not been agreed at the time of writing this submission there could be some repetition between these two documents. Within the SoCG it is intended to agree with NDDC all points of agreement with the Council with respect to the Local Plan and in particular the Gillingham SSA. We have also sought to identify the main outstanding points of disagreement arising from our representations. Within this context, whilst we do not wish to repeat concerns raised in our objections, we provide clarification on a number of matters below in direct response to specific questions raised by the Inspector.

Consortium's Current Position on the SSA

4. The Consortium is currently leading on the production of a Master Plan Framework (MPF) for the SSA in accordance with the brief set out in Policy 21 of the North Dorset Local Plan (LP). The MPF is intended to act as a link between Policy 21 and an outline planning application.
5. To inform the MPF the Consortium have engaged with statutory consultees, ATLAS, North Dorset District Council and Dorset County Council on an initial draft version of the MPF. At the time of writing, the Consortium is amending the MPF to reflect these comments where appropriate.
6. The consortium has agreed EIA Scoping with NDDC. Background evidence that will form part of the EIA evidence base is being prepared. Where available this has informed the MPF.

7. When the content of the MPF has been agreed informally with NDDC officers as meeting the policy brief, the Consortium will undertake formal consultation with stakeholders including other landowners from within the southern extension, statutory and non-statutory bodies and the local community. This consultation will form part of the pre-application process for a single outline planning application for the residential and local centre uses. Consultation will include a public exhibition, copies of the MPF deposited in key public places and a web site where consultation responses can be made on-line. Further comments will be sought from statutory consultees. Public consultation is envisaged to take place for six weeks in spring/early summer 2015.
8. Following public consultation, the Consortium will review the comments received and amend the MPF accordingly before it is submitted formally to NDDC with a statement of community consultation. NDDC will then present the MPF to relevant Committees and Full Council so that the Members have the opportunity to 'agree' that the draft MPF meets the brief set out in Policy 21.
9. Following 'agreement', the consortium envisages that it will prepare and submit a single outline planning application for the SSA land within its control that delivers the principles and content of the MPF unless material circumstances justify otherwise. It is anticipated that this will be lodged with the Council in October 2015.

Inspector's Questions

8.1 Is there any evidence that the proposed residential development sites in Gillingham, including the development of land east and south of Ham; Station Road; and south and south-west of Bay, are not available, sustainable or deliverable? If such evidence exists what alternatives area available and have they been satisfactorily considered by the Council?

10. No comment.

8.2 Is there any evidence that the proposed economic development sites in Gillingham, including in Station Road; south of Brickfields Business Park; at Kingsmead Business Park; and at Neal's Yard Remedies, Peacemarsh; are not available, sustainable or deliverable? If such evidence exists what alternatives are available to the Council?

11. No comment

8.3 Can the proposed development be satisfactorily assimilated into the town without significant detriment to the character of the environment and the living conditions of nearby residents?

12. Building on the design principles contained within the Local Plan the MPF (alongside the emerging neighbourhood plan) is the appropriate mechanism through which to ensure design principles that will ensure the SSA can be assimilated into the existing town. The emerging vision for the MPF seeks to ensure amongst other things a development then provides links to

existing communities and infrastructure and promote access to new community facilities for the residents of Gillingham. A key principle will also be to draw upon the form and structure of Gillingham and the surrounding areas and the design principles as identified within the Gillingham Town statement.. The incorporation of such principles is considered important to ensure the SSA is brought forward as a new, sustainable mixed use community that is both physically and socially integrated with the existing settlement.

8.4 Are all the infrastructure requirements listed in policy 17 justified and deliverable?

13. To inform the MPF the Consortium has undertaken a significant amount of work on infrastructure delivery for the SSA. This will conclude in an Infrastructure Delivery Plan (IDP) that will ultimately form part of the MPF.
14. Through this work it is clear that there is currently an inadequate evidence base to identify with any certainty the specific strategic infrastructure requirements for the SSA within Policy 17 of the Local Plan. For example criterion v deals with the need for a local centre (not in dispute) but goes onto confirm that within this centre there will be a new community hall, a new 2 form entry primary school and a new doctors surgery.
15. The consortium consider that there is no firm evidence for any of these three pieces of infrastructure and that the need or otherwise for such provisions should be assessed as part of the MPF process and any future planning application(s).
16. The lack of need for this is evidence by the Local Plan representation from the Gillingham Medical Practice dated 11 December 2013 which clearly states that the current practice:

“has enough capacity to absorb the new development without resource to building a new surgery.”
17. Clearly if there is a need for such new medical facilities as part of the SSA there is the ability and appetite to bring this forward; however at the current time it is not justified to have an absolute requirement for this provision.
18. Similarly the consortiums representations casts doubt over any absolute need for a nursery school and community hall facilities.
19. The SSA will be delivered over a long period of time and as such there needs to be flexibility in policy in order to allow ongoing assessment of strategic infrastructure requirements in order that such provision is delivered as required to meet the needs of the new population. Such needs are properly assessed firstly through the MPF and thereafter through subsequent any planning application(s).

20 As part of the MPF the IDP will provide certainty that the strategic infrastructure requirements arising from the SSA will be delivered by the development itself. It is the Consortiums preference that for a large strategic allocation such as this where a large number of specific phased infrastructure requirements are generated over the course of the plan, there are advantages in exempting SSA development from CIL as a zero rated development with all types of infrastructure then secured through s.106.

21 The advantages of this approach to the Council and the local community would be:

- Increased certainty of delivery – the specific objectively assessed infrastructure requirements will be identified and delivery phased during construction of the SSA;
- Clear triggers for delivery – the timing of infrastructure delivery can be properly assessed so that infrastructure is delivered at the point that it is required with certainty. This allows for a phased approach to delivery of infrastructure throughout the SSA delivery over the Plan period; and
- Impact on SSA viability – certainty over the delivery of infrastructure throughout the life of the development allows for better development cost planning and reduces risk to site viability over the whole plan period.

8.5 Is the development of land at Neal’s Yard Remedies, Peacemarsh, for high value business use justified (criterion m)?

22 No comment.

8.6 Is the Council’s approach to retail development in Gillingham justified and will it result in appropriate regeneration of the town centre?

23 The Consortium are committed to delivering a local centre within the SSA subject to commercial viability in order to meet the day to day needs of the new community. We would be concerned with any major new retail development elsewhere outside of the town centre as this could undermine the viability and hence deliverability of the local centre.

8.7 Is there any evidence that the proposed Gillingham Strategic Site (or any part of it) is not available, sustainable or deliverable? If such evidence exists what alternatives are available to the Council? Is the proposed boundary of the SSA justified?

24 In so far as the Consortiums land interests within the SSA as confirmed by the SoCG there is no evidence to doubt that the site and its strategic development objectives are available, sustainable or deliverable.

25 The consortium are in agreement with the majority of the proposed boundary of the SSA with the exception of one area that is considered necessary to ensure sufficient flexibility in the delivery of the local centre.

26 The Consortium has spent a considerable time considering the location and delivery of the local centre. We consider there are currently difficulties in delivering the local centre in the location identified by the Concept Plan. These difficulties arise from the following matters of fact:

- The consortium has contacted landowners on the Shaftesbury Road corridor to ascertain their willingness to work with the consortium to deliver the local centre on the Shaftesbury Road corridor in the locations envisaged at Figure 9.3 – Concept Plan for Gillingham Strategic Site Allocation of the Draft local Plan. The following are statements of fact on the outcome of these discussions.
- **Sydenhams:** The consortium met with Sydenhams several times between 2010 to 2012. For operational reasons and viability reasons this land is not available for development as the local centre.
- **Land owned by Mr B Hopkins – Kingsmead Business Park:** Draft Local Plan Figure 9.3 indicates that the local centre would be located partly on Mr Hopkins land on the east side of Shaftesbury Road. The Consortium met Mr Bill Hopkins and his advisers on 14 August 2014 to discuss the potential to deliver a local centre on his land. Mr Hopkins' agent Matthew Kendrick of Grassroots Planning confirmed by email dated 02.09.14 that the landowner would not be prepared to deliver the local centre and that he is pursuing alternative development proposals.
- **Land Controlled by Hine Brothers:** Welbeck Land controls land on the west side of Shaftesbury Road which the freehold of which is owned by Hine Brothers. This land is included within the MPF as a potential location for the local centre.
- **Orchard Park Garden Centre:** Bramble Lea, advisers to Lagan Farms, the owner of Orchard Park Garden Centre confirmed by letter dated 16.06.14 that Lagan Farms would be prepared to offer this site and adjoining land for the purposes of a local centre. This land is included within the MPF as a potential location for the local centre.

27 Having regard to these difficulties the Consortium welcome the proposed modification to the Concept Plan to allow a larger area of search for the local centre provision. However this amendment does not go far enough to fully address our concerns. In order to provide greater flexibility for the provision of the local centre the Consortium continue to advocate extension of the SSA boundary to include the Orchard Park Garden Centre.

8.8 Are all the infrastructure requirements related to the southern extension (as set out in policy 21) justified, viable and deliverable? For example the off-site highway improvements; other off-site measures and the improvements relating to social infrastructure, including the proposed local centre. Is it sufficiently clear how a decision maker should re-act to a proposal – the 'what, where, when and how'.

28 As noted above a fully evidence based IDP will form part of the MPF to ensure that all necessary strategic infrastructure requirements for the SSA are delivered at the appropriate time.

29 Building on the MPF the delivery of strategic infrastructure can then appropriately be secured through s106 Agreements accompanying planning applications that are brought forward pursuant to it.

30 In the absence of an evidence base the Consortium object to the current drafting of Local Plan that would create an absolute requirement for certain infrastructure.

8.9 Are the proposals identified on the Concept Plan (Fig 9.3) justified and sufficient to ensure the provision of a sustainable development?

- 31 The Consortium has no concerns with the Concept Plan which is acknowledged as having been informed by due stakeholder engagement. The SoCG makes clear however how the Concept Plan, as part of the Local Plan, is intended to be used to inform both the MPF and subsequent planning applications. Through this delivery mechanism, which affords flexibility in the way the SSA is brought forward, the Concept Plan is one element in the overall provision of a sustainable development.

Q 8.10 Are the contents of the Concept Statement (Fig 9.2) and the Design Principles (Fig 9.4) justified?

Concept Statement

- 32 We remain of the view that the Concept Statement continues to duplicate many of the requirements of other policies within the Local Plan. As the Plan should be read as one entity this is unnecessary and heightens the risk of ambiguity between different elements of the Plan. This could easily be remedied by focusing on only site specific issues within the Concept Statement with all other matters left to be assessed against other more general policies of the Plan. This revised approach is particularly justified given the requirement for a MPF as an interim measure between the Local Plan and planning application stage and the fact this MPF falls to be assessed itself against the Local Plan.

Design Principles

- 33 Similarly the Design Principles at Fig 9.4 largely duplicate the Design Principles elsewhere within the Local Plan; in particular at Policy 24. This could be remedied by deletion of paragraphs 9.37 and 9.38.

Q 8.11 What are the risks to the delivery of the southern extension at Gillingham and does the Council's approach ensure that they are, as far as possible, minimised? What is the trajectory for the provision of the housing and what is the Council's fall-back position should the southern extension not deliver housing at the rate currently anticipated?

Housing Trajectory

- 34 In terms of housing delivery the LP identifies that the approximate scale of housing development for Gillingham in the period 2011 – 2026 in Policy 6 is "about 1,490 homes". However, the level of housing provision for Gillingham does not reflect the full potential of the strategic site allocation. The 1,800 dwellings proposed for the Gillingham SSA (policy 21) is available and deliverable in full on land within the Consortium's control, but the phasing of delivery extends beyond the plan period.

- 35 In terms of actual trajectory it is anticipated by the Consortium that delivery of housing within the SSA will commence in 2016 through the first phase of development on Lodden Lakes which has the benefit of a resolution to approve planning with the s106 Agreement shortly to be completed. Delivery on this first phase is anticipated to deliver 20-45 dpa. From 2018 it is then anticipated the trajectory will rise to 100 to 120m dpa based on the rest of the SSA delivering four active sites at any one time with four separate house builders producing 25 to 30 dpa each.

8.12 What is the relationship between LP1, the Neighbourhood Plan (paragraph 9.7) and the Master Plan Framework? Should it be made clearer?

- 36 The SoCG explains the role of the MPF, its approval process and the role it will play alongside adopted planning policy in the determination of future planning applications.
- 37 The SoCG also explains the collaborative approach behind vision for the southern extension to Gillingham. Having adopted a proactive approach to this process, actively participating in stakeholder workshops that form part of the LP1 evidence base, the Consortium have maintained this during formulation of the MPF. As noted in the SoCG the consortium meets regularly with the Council and its advisors Atlas discussing progress on all aspects of the SSA development.
- 38 The Consortium also attend the bi-monthly meetings of the Gillingham Growth Board which includes representatives of the Gillingham Neighbourhood Plan Group which are supportive of the SSA.
- 39 It is the Consortiums view that this relationship will be explained in the MPF which will be subject to further public and stakeholder consultation and Council approval.
- 40 Through this approach we consider there is sufficient clarity on the inter relationship between LP1, the Neighbourhood Plan and MPF.

8.13 Are the requirements set out in paragraph 9.20 (including a Habitats Regulations Assessment), and in paragraph 9.57 (alternative use for the local centre) justified?

Habitats Regulations Assessment

- 41 As confirmed within our representations the Consortium consider that the requirement for the MPF to be subject to a Habitats Regulation Assessment to be wholly unjustified. In allocating the site for development LP1 is required to have undertaken the appropriate level of HRA, which we believe is the case.
- 42 As the MPF does not form part of the Development Plan there is no additional requirement to be subject to any further HRA. Any outstanding HRA requirements will thereafter be picked up at planning application stage. For this reason our representations proposed amendments to paragraph 9.20 which we maintain are appropriate.

Alternative Uses for the Local Centre

- 43 Delivery of the local centre is agreed within the SoCG as an important objective for the successful delivery of the SSA albeit the component parts will ultimately be down to need and market demand.
- 44 Notwithstanding this the employment needs of the District and in particular within Gillingham are appropriately planned for on other sites. Consequently there is no justification for protecting the local centre allocation for employment uses should a local centre not come forward. For this reason our representations suggested deletion of the last sentence of paragraph 9.57 of the LP.