



BLANDFORD + NEIGHBOURHOOD PLAN 2011 - 2033

Dorset Council is satisfied that the Blandford + Neighbourhood Plan 2011 - 2033, as modified, meets the basic conditions, is compatible with the Convention rights and complies with the definition of a neighbourhood development plan.

A referendum will therefore be held on the 6 May 2021.

Background

1. The Blandford + Neighbourhood Area was designated in February 2014 in accordance with Part 2 of the Neighbourhood Planning (General) Regulations 2012 (the 'Regulations'). The relevant body is confirmed as Blandford Forum Town Council and the designated neighbourhood area covers the area of Blandford Forum Town Council, Bryanston Parish Council and Blandford St Mary Parish Council.
2. In January 2019, Blandford Forum Town Council submitted the Blandford + Neighbourhood Plan 2011 - 2033 and supporting material to North Dorset District Council. The District Council was satisfied that the documents submitted met the requirements of Regulation 15 of the 'Regulations'. The Town Council was notified of the District Council's conclusion and informed that the plan could proceed to examination.
3. The submitted documents were made available for consultation from 15 February to 29 March 2019, and an independent examiner, Mr Terry Kemmann-Lane JP DipTP FRTPI MCMI, was appointed to examine the Plan. The examiner considered written representations, carried out accompanied and unaccompanied site visits and conducted both an exploratory meeting and a hearing. The examiner's report was received on 28 January 2020.
4. In summary, the examiner's report concluded that the Blandford + Neighbourhood Plan 2011 - 2033 would meet the basic conditions and other legal requirements, subject to his recommended modification as set out in Appendix A of this decision statement.
5. Dorset Council¹ has considered the recommended modification, and other suggested changes, contained in the examiner's report. Furthermore, the Council has considered the examiner's conclusions regarding whether the plan meets the basic conditions. The referendum version of the neighbourhood plan, which has been agreed by the Council's Portfolio Holder for Planning, includes the examiner's recommended modification as set out in Appendix A of this document².

¹ On 1 April 2019 the county's nine councils were replaced by two new organisations. Dorset Council became the local authority for the area previously covered by North Dorset District Council.

² Since the Blandford + Neighbourhood Plan was examined the Government has amended the Use Classes Order. Minor factual updates have been applied to the Use Class references in Policy B8, and also Policy B3, to reflect changes to the Use Classes Order brought into effect on 1st September 2020 through the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020. The minor factual updates are shown in the referendum version of the neighbourhood plan.

6. The Council has also considered the need for any further changes beyond those identified in the examiner's report. This has included taking account of all the responses received to the consultation on the draft Decision Statement including the legal advice submitted by Pimperne Parish Council which was sought by the Parish Council in partnership with Dorset CPRE and Cranborne Chase AONB Partnership. In considering the conclusions of the independent examiner, Dorset Council agrees that the legal requirements and basic conditions have been met. In addition, the Council has set out further reasoning to explain why it considers that the plan meets the basic conditions in Appendix B to this statement.
7. The Council is therefore satisfied that the plan as amended...
 - (i) meets the basic conditions (as set out in Schedule 4B to the Town & Country planning Act 1990); and
 - (ii) is compatible with the Convention rights (within the meaning of the Human Rights act 1998); and
 - (iii) complies with the provision concerning Neighbourhood Development Plans made by or under Sections 38A and 38B of the Planning and Compulsory Purchase Act 2004, and...can now proceed to a referendum.

The area covered by the Blandford + Neighbourhood Plan 2011 - 2033

8. The neighbourhood plan area covers the area of Blandford Forum Town Council, Bryanston Parish Council and Blandford St Mary Parish Council.

Details of the Neighbourhood Plan Referendum

9. The independent examiner considered that it was appropriate for the referendum to be held over the neighbourhood plan area, as defined by the map on page 9 of the Blandford + Neighbourhood Plan.
10. Information about the referendum will be published on the Council's website and made available for inspection no fewer than 28 days before the referendum.

Where to find more information...

11. Copies of this decision statement, the examiner's report and the referendum version of the neighbourhood plan can be viewed online via the [Blandford + Neighbourhood Plan webpage](#).

APPENDIX A

The Examiner's Recommended Modification³

Delete the text of Policy B8 and replace it with the following text:

Policy B8 – Blandford Forum Town Centre

The Neighbourhood Plan defines the Town Centre Area and the Primary Shopping Area, as shown on the Town Centre Policies Map, for the purpose of managing proposals for retail, leisure, commercial, housing and other forms of development.

Within the Primary Shopping Area, proposals for new Retail floorspace will be supported. Proposals for new A2 Financial Services, B1 Offices, C3 Residential and D1 Community Uses on the upper floors of buildings that contribute to the vibrancy and vitality of the town will be supported. Loss of established ground floor A1 Retail floorspace or of an active frontage as a result of a change of use will be resisted.

Outside the Primary Shopping Area but within the Town Centre Area the following will be supported:

- ***Shops and retail outlets (A1);***
- ***Professional services (A2);***
- ***Food and drink (A3)***
- ***Drinking establishments (A4);***
- ***Hot food and takeaways (A5);***
- ***Health and public services (D1);***
- ***Entertainment and leisure (D2);***
- ***Business (B1); and***
- ***Residential (C3) which does not replace an existing retail or commercial ground floor frontage.***

All proposals in the Town Centre should retain or create, where appropriate to the use, an active street frontage and should seek to enhance the public realm through street planting and other measures intended to enhance the vitality of the Town Centre and to increase the footfall.

All proposals for development, including a change of use, must preserve or enhance the character or appearance of the Conservation Area.

³ As already referred to, since the Blandford + Neighbourhood Plan was examined the Government has amended the Use Classes Order. Minor factual updates have been applied to the Use Class references in Policy B8 to reflect changes to the Use Classes Order brought into effect on 1st September 2020 through the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020. The minor factual updates are shown in the referendum version of the neighbourhood plan.

APPENDIX B

The Basic Conditions

National Legislation and Planning Guidance

The basic conditions relating to neighbourhood planning are set out in paragraph 8 (2) of Schedule 4B to the Town and Country Planning Act 1990 as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004. One of the basic conditions requires that:

'The making of the order (or neighbourhood plan) is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area).'

The Government's Planning Practice Guidance (PPG) provides further detail regarding what is meant by 'general conformity'. Paragraph 074 of the PPG states:

'What is meant by 'general conformity'?

When considering whether a policy is in general conformity a qualifying body, independent examiner, or local planning authority, should consider the following:

- *whether the neighbourhood plan policy or development proposal supports and upholds the general principle that the strategic policy is concerned with*
- *the degree, if any, of conflict between the draft neighbourhood plan policy or development proposal and the strategic policy*
- *whether the draft neighbourhood plan policy or development proposal provides an additional level of detail and/or a distinct local approach to that set out in the strategic policy without undermining that policy*
- *the rationale for the approach taken in the draft neighbourhood plan or Order and the evidence to justify that approach*

Paragraph: 074 Reference ID: 41-074-20140306

Revision date: 06 03 2014'

The Government's PPG also provides detail regarding whether a neighbourhood plan can allocate additional or alternative sites to those in a local plan. Paragraph 044 of the PPG states:

'Can a neighbourhood plan allocate additional or alternative sites to those in a local plan?

A neighbourhood plan can allocate additional sites to those in a local plan (or spatial development strategy) where this is supported by evidence to demonstrate need above that identified in the local plan or spatial development strategy. Neighbourhood plans should not re-allocate sites that are already allocated through these strategic plans.

A neighbourhood plan can also propose allocating alternative sites to those in a local plan (or spatial development strategy), where alternative proposals for inclusion in the neighbourhood plan are not strategic, but a qualifying body should discuss with the local planning authority why it considers the allocations set out in the strategic policies are no longer appropriate.

The resulting draft neighbourhood plan must meet the basic conditions if it is to proceed. National planning policy states that it should support the strategic development needs set out in strategic

policies for the area, plan positively to support local development and should not promote less development than set out in the strategic policies (see [paragraph 13](#) and [paragraph 29](#) of the National Planning Policy Framework). Nor should it be used to constrain the delivery of a strategic site allocated for development in the local plan or spatial development strategy. Should there be a conflict between a policy in a neighbourhood plan and a policy in a local plan or spatial development strategy, [section 38\(5\) of the Planning and Compulsory Purchase Act 2004](#) requires that the conflict must be resolved in favour of the policy which is contained in the last document to become part of the development plan.

Paragraph: 044 Reference ID: 41-044-20190509

Revision date: 09 05 2019'

Examiner's Findings

As part of the examination of the Blandford + Neighbourhood Plan 2011 - 2033 the examiner considered whether the neighbourhood plan is in general conformity with the strategic policies of the North Dorset Local Plan Part 1 (LPP1) which was adopted in January 2016. This included considering whether the plan, and policies B2 (Land North & East of Blandford Forum) and B3 (Employment) in particular, are in general conformity with Policy 16 (Blandford) of LPP1 which sets out the sustainable development strategy for Blandford up to 2031.

In Section 5 of his report, titled '*Assessing the Plan against the Basic Conditions*', the examiner sets out policies B2 and B3 in the neighbourhood plan and details in paragraph 5.2 of his report that these 2 policies of the neighbourhood plan (NP) have elicited very strong representations. The examiner goes on to detail '*I need to set out clearly what the arguments are, for and against them, and explain how I have reached conclusions and my recommendation.*'

Section 8 of the examiner's report is titled '*Be in general conformity with the strategic policies in the development plan for the local area*'. At paragraph 8.6 of his report the examiner makes reference to Policy 16 of LPP1 and states '*... Policy 16 of LPP1 of LPP1 sets out the strategic policy for Blandford and states that Blandford "will maintain its role as the main service centre in the south of the district through:*

- a. development and redevelopment within the settlement boundary; and*
 - b. extensions, primarily of housing to the south-east and to the west of Blandford St Mary; and*
 - c. employment uses on land within the bypass on the northern edge of the town and the mixed-use regeneration of the Brewery site close to the town centre."*
- v the extension of the Archbishop Wake school and either extension of the Milldown school or provision of a new 2 forms of entry primary school;'*

The examiner does not refer to the policy in its entirety. However, he does go on to refer to relevant paragraphs in the supporting text to the policy and in paragraph 8.7 of his report he outlines that Policy 16 in the LPP1 must be read against the explanatory text of the chapter

With reference to paragraph 8.10 of LPP1, which is under the heading '*Sustainable Development Strategy*', the examiner states, in paragraph 8.7 of his report, that "*Blandford's role as the main service centre in the southern part of the District will be maintained. Housing growth will be matched by employment growth and the provision of supporting infrastructure*" With reference to paragraph 8.11 of LPP1 the examiner details, again in paragraph 8.7 of his report, that "*The key spatial aspects of this strategy will be:*

- focusing housing in accessible locations, particularly locations close to the town centre and other facilities;*
- locating mainly B Class employment uses on the northern edge of the town in locations accessible to the strategic road network;* and

accommodating growth within environmental constraints, notably heritage assets, two AONBs and the floodplain of the River Stour.”

Turning to paragraph 8.12 of LPP1 the examiner highlights, in paragraph 8.8 of his report, that *“the strategy for the town will see the building out of sites already allocated for development or with planning permission in the early part of the plan period, with additional greenfield sites beyond the bypass being brought forward after that date. New development will be supported by the necessary grey, social and green infrastructure, both to meet the overall needs of the town and the more local needs associated with each new development area.”* In terms of paragraph 8.13 of the LPP1 the examiner states, again in paragraph 8.8 of his report, that *“Critically, in the context of this examination, LPP1 paragraph 8.13 refers to Blandford Town Council together with Blandford St Mary and Bryanston Parish Councils having joined together to produce a single neighbourhood plan. “This will deal with non-strategic matters to supplement the policies contained in this Local Plan, which can include additional greenfield sites beyond the bypass.”* The examiner goes on to state, in paragraph 8.8 of his report, that paragraph 8.25 in LPP1 confirms that further sites may come forward through the preparation of neighbourhood plans.

Section 9 of the examiner’s report is titled ‘*Conclusions on Basic Conditions 1, 2 and 3 in respect of Policies B2 and B3c*’. Paragraphs 9.1 to 9.3 of the report read as follows:

‘9.1 I begin by considering Policies B2 and B3c that I have concentrated upon above, and I take as my starting point the strategic policies of the development plan.

9.2 LPP1, at Policy 2 identifies Blandford as the main service centre for the south of the then NDDC area, whilst the supporting text of Policy 16 states that housing growth in Blandford will be matched by employment growth and the provision of supporting infrastructure and that the northern edge of the town, in locations accessible to the strategic road network, will be the location for mainly B class employment uses. Furthermore, at paragraph 8.12 of the supporting text, it is said that additional greenfield sites beyond the bypass will be brought forward after the sites allocated or with planning permission, that are expected to be built out in the early part of the plan period. Paragraph 8.13 refers to the intention to produce B+NP and makes clear that this can include the allocation of additional greenfield sites beyond the bypass.

9.3 In the context of the above, the allocations under NP Policies B2 and B3c can be considered to be fully in accord with the strategic policy and guidance in LPP1. The additional benefit of a site for a new primary school can be seen as being in accord with the requirement for supporting infrastructure – of which more below – although this facility is required to support the existing town and not just the residents of the allocated housing site.’

Dorset Council’s Considerations

Dorset Council (DC) agrees with the examiner’s findings in respect of the neighbourhood plan’s general conformity with the strategic policies of LPP1. However, the Council considers that there are other factors that need to be taken into account when considering why the neighbourhood plan, and policies B2 and B3c in particular, are not only in general conformity with the strategic policies of LPP1, but also (looking at the matter on a much narrower basis), in general conformity with Policy 16 . These factors relate to circumstances that have changed since the LPP1 was adopted.

Circumstances have changed significantly since the LPP1 was adopted. For example, in terms of meeting housing needs the policy identifies that in addition to infilling and redevelopment within the settlement boundary, Blandford’s housing needs will be met through mixed-use regeneration of the Brewery site, the development of land to the south east of Blandford St Mary and the development of land to the west of Blandford St Mary (at Lower Bryanston Farm and Dorchester Hill).

The land to the south east of Blandford St Mary is subject to planning permission and the site is under construction. With regards to the land to the west of Blandford St Mary, the land at Dorchester

Hill has been developed out whilst the land at Lower Bryanston Farm is subject to a planning application which is at an advanced stage (a resolution has been passed to grant planning permission and the Section 106 agreement is being finalised). Finally, the Brewery site is subject to an outline planning permission for a residential development. Furthermore, the site has been acquired by Homes England and work has been carried out to provide infrastructure and services to the site. A reserved matters application has recently been granted planning permission for 63 dwellings on the site.

With regards to supporting economic development, especially employment needs in the town for the period up to 2031, the policy identifies that the needs will be met through the mixed-use regeneration of the Brewery site, the development of land off Shaftesbury Lane, the development of vacant sites on existing industrial sites and the retention of existing employment sites. As referred to above the Brewery site is now due to be developed out for residential use rather than for a mixed-use scheme. Furthermore, some of the land off Shaftesbury Lane has been developed out for retail use (Lidl), therefore, reducing the amount of land that is available for B class employment uses.

Consequently, as identified in the latest version of the Authority Monitoring Report covering the North Dorset area only 3.43 hectares of employment land is available at Blandford and this is made up of a number of sites rather than being one large site. This is likely to limit its attractiveness to the market, particularly for those businesses looking for a large employment site. It is also of note that the responses received to the North Dorset Local Plan Review Issues and Options Consultation demonstrated a large amount of support for the principle of allocating additional land at Blandford for employment uses.

The situation detailed above helps to partly explain why there is a need to identify additional land for housing and employment at Blandford. Given this situation, and as outlined orally by DC as part of the examination of the neighbourhood plan, policies B2 and B3 (c) in the NP will not undermine the delivery of sites/growth areas identified at Blandford in the existing development plan.

In addition to matters relating to housing and employment, it is also of note that criterion v in Policy 16 of LPP1, which relates to the provision of additional primary school capacity at Blandford, has not been met and the need for additional capacity is more time-critical than when the LPP1 was subject to examination. This is something that Policy B2 in the NP seeks to address by allocating land for a primary school.

Turning to other circumstances that have changed since the adoption of LPP1, it is of note that evidence relating to housing need in the North Dorset area has been updated since the LPP1 was examined. As set out in paragraphs 7 to 9 of the document titled '*Dorset Council's Response to Matters raised by the Examiner as part of the Agenda for the Blandford + Neighbourhood Plan 2011 – 2033 Hearing*' (available via: <https://www.dorsetcouncil.gov.uk/planning-buildings-land/planning-policy/north-dorset/neighbourhood-planning/submitted-plans/pdfs/blandford-v2/examination/dorset-council-response-to-matters-raised-by-the-examiner-final.pdf>) there is evidence of increased housing need set out in the 2015 Eastern Dorset Strategic Housing Market Assessment (SHMA)⁴ and it is also identified by using the standard methodology that the Government has introduced for assessing housing need.

In addition to the matter of housing need, the housing land supply situation has changed since the LPP1 was subject to examination. DC is currently unable to demonstrate a five-year supply of deliverable housing sites for the North Dorset area and the latest published housing monitoring data indicates that the lack of a five year housing land supply is likely to persist in North Dorset for the foreseeable future. It is also of note that the current COVID-19 pandemic will have a negative impact on housing delivery rates in North Dorset and the latest published housing monitoring data largely pre-dates the current pandemic.

Further to the issue of housing need, DC considers that the need for a new primary school at Blandford, which is referred to as a potential way of meeting the need for additional primary school

⁴ <https://www.dorsetcouncil.gov.uk/planning-buildings-land/planning-policy/joint-planning-policy-work/shma/2015-update-and-review-of-the-strategic-housing-market-assessment.aspx>

places at Blandford in criterion v of Policy 16 (Blandford) in LPP1, is more time-critical than when the LPP1 was subject to examination. Furthermore, DC considers that further work that has been carried out in terms of considering the potential of expanding the existing primary schools at Blandford confirms that such expansion is not an option. The only option for increasing primary school capacity at Blandford is by developing a new primary school. Therefore, the only way that part v of Policy 16 in LPP1 can be met is by providing a new school.

DC considers that the area of land proposed for the new school (to the north of the bypass and in vicinity of the A350 pedestrian bridge (yellow bridge)) is the most appropriate location for a new primary school at Blandford. The most up to date position regarding school provision at Blandford, including evidence regarding the need for a new primary school, is set out in the 'Blandford Town Pupil Place Planning Statement' (updated June 2019)⁵.

For the reasons set out above DC considers that there has been a significant change of circumstances since Policy 16 was adopted by NDDC as part of the LPP1. Consequently, DC considers that parts of Policy 16 are now out-of-date. For example, as set out above, those sites/growth areas identified to meet housing needs have been built out, are being built out or are at an advanced stage of the planning process, therefore, as identified in the supporting text to Policy 16 there is a need to bring forward further land for development, in order to meet short term development requirements. The identification of such land within the neighbourhood plan is not at a strategic scale, and is in accordance with the strategy within LPP1. The PPG recognises that additional sites to those allocated in local plans can be included within neighbourhood plans, and in this case the Council agrees with the examiner that it is in accordance with national policy, and general conformity with local policy to do so. On this basis, and taking into account the content of LPP1 as a whole, the Council considers that policies B2 and B3c in the NP are in general conformity with LPP1 including its strategic policies.

Correcting Errors

Paragraph 12 (6) (e) of schedule 4B of the Town and Country Planning Act 1990 (as amended) allows for the correction of errors, in respect of the submission version of a neighbourhood plan, prior to a plan going to referendum. With regards to the submission version of the Blandford + Neighbourhood Plan 2011 – 2033 there are a number of changes that need to be made to correct errors. The vast majority of these changes are of a minor nature. All of the changes that have been made to the submission version of the plan, including those that have been made to correct errors, are set out as tracked changes in the referendum version of the plan.

One particular change that was highlighted in the draft Decision Statement related to Figure B, titled '*B+ NP Constraints Plan*', on page 16 of the submission version of the plan. It should be noted that a further amendment has been made to the plan in respect of the boundary of the Cranborne Chase AONB to show that land at The Milldown is in the AONB. This amendment has been made in light of comments made by the Cranborne Chase AONB Partnership in response to the consultation on the draft Decision Statement.

⁵ <https://www.dorsetcouncil.gov.uk/planning-buildings-land/planning-policy/north-dorset/neighbourhood-planning/submitted-plans/pdfs/blandford-v2/submission-documents/appendices/blandford-pupil-place-planning-statement-update-11.06.19-final.pdf>