

NORTH DORSET LOCAL PLAN EXAMINATION

ISSUE 9: SHAFTESBURY (POLICY 18)

MATTERS STATEMENT ON BEHALF OF GLEESON STRATEGIC LAND

20 FEBRUARY 2015

Terence O'Rourke on behalf of Gleeson Strategic Land
Respondent 3066
Issue 9 Shaftesbury (policy 18)

Matters statement – Issue 9 Shaftesbury (policy 18)

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Question 9.1 Is there any evidence that the proposed residential development sites in Shaftesbury, including the development of land to the east of the town; to the south-east of Wincombe Business Park; and to the west of the A350 are not available, sustainable or deliverable? If such evidence exists what alternatives are available and have they been satisfactorily considered by the Council?

On behalf of Gleeson Strategic Land (Gleeson), and further to the deliverability statement submitted at the pre-submission consultation stage, we can confirm that land at Littledown, Shaftesbury (land west of the A350) is available, sustainable and deliverable for development. In order to be considered 'deliverable' and/or 'developable' in accordance with footnote 11 of the NPPF three tests must be met:

- The site is available now
- The site offers a suitable location for development now;
- There is a realistic prospect that housing will be viably developed at the point envisaged.

The site is available: Gleeson has an option to acquire this land, subject to the grant of planning permission, for residential led development. The land under option is just under 10 hectares. In accordance with the terms of the option arrangement, and in response to the emerging local plan context, Gleeson is actively pursuing a planning strategy, which involves an early planning application. As such, their consultant team is in the final stages of preparing an outline application for residential led development. The intention is to submit this application in advance of the examination hearing session in respect of Shaftesbury. The following is particularly relevant.

The site is identified in the council's strategic housing land availability assessment (site 2/45/0550). Pre-application consultation has been undertaken, with council officers and with the local community.

The proposed description of development is:

Development of up to 170 homes, including vehicle access from the A350, public open space, play areas, landscaping, car parking, demolition of existing agricultural buildings, ancillary works, and associated infrastructure.

A screening request under the EIA Regulations was submitted by Gleeson and the council has issued a screening opinion that development here does not need to be supported by an environmental statement. The council's screening opinion is appended.

In support of the planning application, all necessary technical survey work has already been completed and a full range of technical assessments has been prepared, in accordance with the council's planning application validation requirements, including:

- Transport assessment and framework travel plan
- Landscape assessment
- Phase 1 and Phase 2 ecology studies
- Arboricultural study
- Flood risk assessment

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- Ground conditions assessment
- Heritage statement
- Utilities and energy assessment
- Sustainable design statement

The application will be subject to a thirteen-week determination period. Given the status of the saved local plan policies, the emerging policy context, and the lack of progression with a site allocations development plan document, a positive determination of the planning application, at this stage without prejudice to the plan led process, is reasonably anticipated.

The site offers a suitable location: As evidenced by the local plan sustainability appraisal and imminent outline planning application, the site offers a suitable location on the edge of the existing settlement and with potential for a new access from the A350. Land at Littledown is a sustainable location for development. As shown on the appended master plan (to be submitted with the outline application), the site is well related to the existing built environment (please also refer to our statement in response to Question 9.3). A fully integrated extension to the settlement is therefore possible in this location, with direct access to the town centre, public transport options (the site is adjacent to the A350 transport corridor) and with employment opportunities on the Wincombe Business Park (opposite the proposed site) as well as opportunities elsewhere within the market town.

Development of this site for housing is in accordance with the spatial strategy of the submitted plan, which is to focus growth over the plan period in the four main settlements of the district, including the market town of Shaftesbury. Directing a modest number of new homes to the north of the town, west of the A350, is enabling the benefits of development, for example, affordable housing, open space, and highway improvements, to be more widely distributed around the settlement.

The technical studies prepared in support of the outline application have identified that there are no significant technical constraints to development in this location.

It is acknowledged that part of the proposed development is within the Cranborne Chase and West Wiltshire AONB (which dissects the land in a broadly north-south direction). However, with reference to NPPF paragraph 116, development in the AONB on the edge of Shaftesbury, in the context of housing need, lack of previously developed land and with due regard to the alternatives, provides the exceptional circumstances necessary. In particular, and as evidenced in the council's SHLAA, there are very limited sustainable development opportunities in the Shaftesbury area outside the landscape designation or in locations that would not have impacts on its setting.

The council's landscape assessment of potential housing sites (document ECC020) identifies the principle of development extending within the AONB in this specific location to accommodate around 150 homes. Gleeson is supportive of this position and, as noted above, can confirm that the technical studies prepared in support of the outline application agree with the council's own evidence that this location is capable of absorbing development with limited impact on the wider landscape. These studies, however, identify a site capacity of up to 170 homes.

Addressing landscape matters is a key driver of the proposed master plan (please also refer to our statement in response to Question 9.3).

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It is notable that neither Natural England nor the AONB Board, or any other parties, have objected to policy 18 and its identification of land west of the A350 for development.

The site has a realistic prospect of being viable for development: the strategy being implemented demonstrates the significant commitment of Gleeson to deliver the site to the market for residential development at the earliest opportunity. The site could reasonably be expected to deliver first housing completions in, or before, the annual monitoring year of 2018/19.

We note and support the council's proposed amendment to the text of the submitted local plan at paragraph 8.111: that the words "small-scale" are deleted from the text in the context of the two greenfield allocations identified to the north of the town, including the site that Gleeson is bringing forward.

In our pre-submission representations we have suggested that a firm land allocation be confirmed in the local plan in order to provide more certainty for the early deliverability of the site, in accordance with the NPPF. We have addressed this particular point by advancing a planning application. Nevertheless, should the inspector be minded to agree and direct the council to allocate the strategic sites and amend settlement boundaries accordingly, rather than deferring this exercise to Local Plan Part 2 as proposed by the council, we respectfully request that the appended site location plan and master plan, prepared for an outline application, are used to define the site boundaries and development capacity of land west of the A350.

Question 9.3: 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?

Yes, this land west of the A350 can be assimilated into the settlement as a sustainable urban extension to the town. Development in this location will relate well to the existing built environment: it is bounded to the north by a small industrial park, to the south by residential development, and to the east by the A350 and the Wincombe Business Park (please refer to the appended site location plan). Direct access can be achieved, subject to detailed approval, from the A350, with good connectivity of the site with local services and facilities by sustainable modes of transport.

As shown on the draft master plan, significant open space is proposed on the western part of the site (within the AONB). This provides an appropriate outer landscape edge to the development, which will effectively define the new settlement boundary in this location, will moderate the impact of development on the landscape designation (by containing landscape impacts within the immediate area) and provide a key parameter to face the development towards the town rather than the wider countryside.

The proposed master plan, together with the local topography ('the Cliff'), provides a clear and defensible boundary to development, which will preclude further extension into the AONB in this location in the future.

The site's location on the A350, together with the proposed highway improvements, footpath links, including a new pedestrian crossing point on the A350, will enable successful connectivity and integration with the neighbouring built environment, employment sites and community facilities.

The appended master plan indicates that the available land is of sufficient capacity to deliver around 165 to 170 homes, within a high quality development that is appropriate in scale, density and character to the town, leaving sufficient development buffers to avoid unacceptable impacts on neighbouring residential property.

Gleeson's proposed development not only represents a logical extension to the settlement but also will deliver significant local environmental benefits including:

- a significant proportion of public open space to improve the town's green infrastructure and public access to a dramatic viewpoint across the Blackmore Vale
- the under grounding of existing power lines which run across the more sensitive (in landscape terms) southern half of the site
- delivery of a four-arm roundabout to provide access to the site, and improved access to the Wincombe Business Park, plus local traffic calming
- new planting and landscaping along the A350 boundary, which together with the proposed roundabout, will help to improve the amenity and identity of this important northern gateway to the market town
- a pedestrian crossing on the A350 south of the proposed roundabout to improve connectivity with the town centre and community facilities.

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Such provisions ensure that the development will be positively assimilated into the town and will have a beneficial impact on local settlement character and local amenity.

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Question 9.4: Are all the infrastructure requirements listed in policy 18 justified and deliverable?

Policy 18 includes the requirement to develop a network of green infrastructure in and around the market town. Gleeson's proposed master plan includes around 3.5 hectares of informal public open space and play areas, so will make a significant contribution to the delivery of this policy objective.

Financial contributions towards off-site community infrastructure, including the relevant items identified in policy 18, will be negotiated with the council as part of the forthcoming outline planning application.

Question 9.5: Should there be a reference to the Minerals Safeguarding Area? (see rep 2783)

We note that the minerals safeguarding area (MSA) in the adopted Dorset, Bournemouth & Poole Minerals Strategy (May 2014) covers part of the site, largely the western part identified for public open space and planting. It is our contention that the site is of limited size and is constrained by existing development on three sides, therefore will not enable a viable minerals extraction operation. The local topography, with the steep escarpment ('The Cliff'), is also likely to inhibit viable minerals extraction here. The development of the site, as proposed, would not therefore sterilise any significant or viable minerals resource in this location.

Further, through our pre-application consultations with North Dorset DC, we understand that the inclusion of land west of the A350 at Littledown in the minerals safeguarding area (MSA) was not intended.

To ensure that the submitted plan is effective in line with the test of the NPPF, policy 18 of the plan should clarify that the council will work with the minerals authority to address any safeguarding issues in the Shaftesbury area.

Conclusions

In conclusion:

- Land west of the A350 at Littledown, Shaftesbury, is one of the locations identified for development in policy 18 and is available, sustainable and deliverable.
- Gleeson is actively working towards the submission of an outline application for development of up to 170 homes.
- This site is a logical location for a modest sustainable extension to the market town, having a close relationship with the existing built environment and good connectivity with the town centre, community facilities and employment sites
- There are no overriding constraints to development in this location, but the relationship with the AONB is an important factor to guide the layout and design of development
- To ensure that it is positively prepared, the submitted plan could be amended to allocate the site and amend the settlement boundary, having regard to the appended site location plan and master plan
- To be effective, the submitted plan should clarify that the council will work with the minerals authority to address any minerals safeguarding issues affecting strategic development areas.

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Appendices

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Appendix 1 Draft site location plan

Site
**LAND AT LITLEDOWN,
 SHAFTESBURY**

Drawing
 Site location plan

Date 16.12.14 Scale 1:2500@A3

Drawing ref: 1179_01

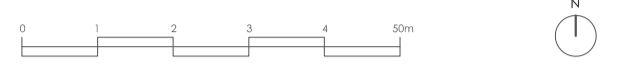


KEY

 site boundary (9.8 hectares)



Appendix 2 Draft master plan



KEY

- Site boundary
- Existing planting
- ▨ Proposed woodland planting
- Proposed tree planting
- ▨ Proposed species rich grass/ meadow planting
- Unallocated parking space
- Visitor parking space for open space
- ★ Key building
- ★ Potential affordable housing unit
- Public Right of Way
- Potential informal pedestrian routes
- ★ Local Area of Play (LAP)
- ★ Locally Equipped Area of Play (LEAP)



Appendix 3 EIA screening opinion

Your Ref:
Our Ref: 2/2014/0925/SCREIA
Ask For:



Date: 17th November 2014

North Dorset District Council
Nordon
Salisbury Road
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DT11 7LL

Jo Baker
Rosie Baker
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01258 454111
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Dear Sir/Madam

Proposal: Request for EIA Screening Opinion under Regulation 2, exceeds the exclusive threshold and is within a defined sensitive area.

Location: Land At E386668 N124209, Littledown, Shaftesbury, Dorset,

Dear Mr. Iles

Town and Country Planning (Environmental Impact Assessment)
Regulations 2011

APPLICATION NUMBER: 2/2014/0925/SCREIA
PROPOSAL: Request for EIA screening opinion under Regulation 2
LOCATION: Land at E386668 N124209, Littledown, Shaftesbury, Dorset

I refer to your request for a screening opinion under Regulation 5 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (referred to as the 'Regs'), received on 1 August 2014 regarding the above site.

The proposed development is for up to 180 dwellings, together with landscaping and infrastructure (including access to the highway network). The site area is 9.46 hectare and the layout is anticipated to create of mix of medium and low density housing across the site. As such the development proposed falls within the description at paragraph 10(b) of Schedule 2 to the 2011 Regulations. Since the proposal exceeds the threshold in column 2 of the table in Schedule 2 to the 2011 Regulations, your client's proposal is considered to be 'Schedule 2 development' within the meaning of the Regs.

The majority of the site lies within the Cranborne Chase and West Wiltshire Downs Area of Outstanding Natural Beauty (CCWWD AONB). It is currently used as agricultural grassland, classified as part grade 3 and 4. The site is also designated in the adopted North Dorset District Wide Local Plan as 'groundwater source protection'.

Certain designated sites are defined in the Regs as sensitive areas these are:

- * Sites of Special Scientific Interest and European sites;
- * National Parks, the Broads and Areas of Outstanding Natural Beauty; and
- * World Heritage Sites and scheduled monuments.

The more environmentally sensitive the location, the more likely it is that the effects will be significant and will require an assessment. An assessment is more likely to be required if the project affects the features for which the sensitive area was designated. However, it does not follow that every Schedule 2 development in (or affecting) these areas will automatically require an assessment. It will be necessary to judge whether the likely effects on the environment of that particular development will be significant in that particular location.

As you are aware, we have consulted and discussed your proposal with CCWWD AONB; including the Landscape Analysis & Masterplan Strategy (updated October 2014). This puts forward two alternative forms of development (Figures 10 & 11) which are most easily differentiated by how the power lines that exist on-site are dealt with; Figure 10 retains them, and Figure 11 puts them underground. I have been informed by their Landscape and Planning Advisor, Mr R Burden, that he does not believe the effects of your proposal on the AONB would not warrant an EIA. I do share Mr Burden's concerns about 'sustained wooded continuity' of the site when viewed from Duncliff Hill. I would suggest that if any of the land on the escarpment is within the control of your client that this is explored as further mitigation. On balance, having regard to your alternative forms of development, the benefits of Figure 11 are clearer than Figure 10 but with both schemes I am of the opinion that the effects of your proposal would be less than significant on the CCWWD AONB.

Setting aside the issues relating to the AONB, Schedule 3 of the Regs sets out selection criteria for screening Schedule 2 development. The characteristics of this proposed development in the context of this site do not raise any particular concerns with existing residential development on the southern boundary and commercial development to the north and east.

The location of the development would result in the loss of grade 3 agricultural land and have implication on the designated groundwater source protection area. Grade 3 agricultural land is known to be some of the best and most versatile land as such there should be further justification for its loss. It is considered that the loss of this land maybe acceptable sequentially having regard to the site's location and the urban context though this should be balanced alongside of its AONB designation.

The scale development and nature of residential use is not likely to give rise to significant impacts on groundwater subject to compliance with the Environment Agency's Pollution Prevention Guidelines.

I note the conclusions of your EIA screening request and the list off the topic specific documents that are intended to be submitted. These would assist in making an informed decision.

For the reasons detailed above, it is the Council's opinion that the proposed development described in your application is not EIA development within the meaning of the Regs.

Yours faithfully,

Yours faithfully

Email: devcontrol@north-dorset.gov.uk

Phone: 01258 484 220