

Sturminster Marshall Neighbourhood Plan

Responses to the Regulation 16 consultation

The Regulation 16 consultation was held between 19 January and 1 March 2024 (6 weeks). Ten responses were received during this time, as detailed in the table below.

No.	Name	Organisation	Date submitted
1		Sport England	24 January 2024
2	D Stuart	Historic England	15 February 2024
3	C Humphreys	Sturminster Marshall FC	15 February 2024
4	G Gallacher	National Highways	20 February 2024
5	Philip Saunders	Wyatt Homes	26 February 2024
6	Matthew Pearce	Environment Agency	1 March 2024
7	Stephen Gerry	Resident	29 January 2024
8	Paul Bennett	Resident	20 February 2024
9	Douglas Marsh	Resident	21 February 2024
10	P Reese	Dorset Council	1 March 2024

Representation number: 1

From: Planning Technical Team

Organisation: Sport England

Submitted: 24 January 2024

Comments:-

Thank you for consulting Sport England on the above neighbourhood plan.

Government planning policy, within the **National Planning Policy Framework (NPPF)**, identifies how the planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities. Encouraging communities to become more physically active through walking, cycling, informal recreation and formal sport plays an important part in this process. Providing enough sports facilities of the right quality and type in the right places is vital to achieving this aim. This means that positive planning for sport, protection from the unnecessary loss of sports facilities, along with an integrated approach to providing new housing and employment land with community facilities is important.

Therefore, it is essential that the neighbourhood plan reflects and complies with national planning policy for sport as set out in the NPPF with particular reference to Pars 102 and 103. It is also important to be aware of Sport England's statutory consultee role in **protecting playing fields** and the presumption against the loss of playing field land. Sport England's playing fields policy is set out in our Playing Fields Policy and Guidance document.

https://www.sportengland.org/how-we-can-help/facilities-and-planning/planning-for-sport#playing_fields_policy

Sport England provides guidance on **developing planning policy** for sport and further information can be found via the link below. Vital to the development and implementation of planning policy is the evidence base on which it is founded.

https://www.sportengland.org/how-we-can-help/facilities-and-planning/planning-for-sport#planning_applications

Sport England works with local authorities to ensure their Local Plan is underpinned by robust and up to date evidence. In line with Par 103 of the NPPF, this takes the form of **assessments of need and strategies for indoor and outdoor sports facilities**. A neighbourhood planning body should look to see if the relevant local authority has prepared a playing pitch strategy or other indoor/outdoor sports facility strategy. If it has then this could provide useful evidence for the neighbourhood plan and save the neighbourhood planning body time and resources gathering their own evidence. It is important that a neighbourhood plan reflects the recommendations and actions set out in any such strategies, including those which may specifically relate to the neighbourhood area, and that any local investment opportunities, such as the Community Infrastructure Levy, are utilised to support their delivery.

Where such evidence does not already exist then relevant planning policies in a neighbourhood plan should be based on a proportionate assessment of the need for sporting provision in its area. Developed in consultation with the local sporting and wider community any assessment should be used to provide key recommendations and deliverable actions. These should set out what provision is required to ensure the current and future needs of the community for sport can be met and, in

turn, be able to support the development and implementation of planning policies. Sport England's guidance on assessing needs may help with such work.

<http://www.sportengland.org/planningtoolsandguidance>

If **new or improved sports facilities** are proposed Sport England recommend you ensure they are fit for purpose and designed in accordance with our design guidance notes.

<http://www.sportengland.org/facilities-planning/tools-guidance/design-and-cost-guidance/>

Any **new housing** developments will generate additional demand for sport. If existing sports facilities do not have the capacity to absorb the additional demand, then planning policies should look to ensure that new sports facilities, or improvements to existing sports facilities, are secured and delivered. Proposed actions to meet the demand should accord with any approved local plan or neighbourhood plan policy for social infrastructure, along with priorities resulting from any assessment of need, or set out in any playing pitch or other indoor and/or outdoor sports facility strategy that the local authority has in place.

In line with the Government's NPPF (including Section 8) and its Planning Practice Guidance (Health and wellbeing section), links below, consideration should also be given to how **any new development**, especially for new housing, will provide opportunities for people to lead healthy lifestyles and create healthy communities. Sport England's Active Design guidance can be used to help with this when developing planning policies and developing or assessing individual proposals.

Active Design, which includes a model planning policy, provides ten principles to help ensure the design and layout of development encourages and promotes participation in sport and physical activity. The guidance, and its accompanying checklist, could also be used at the evidence gathering stage of developing a neighbourhood plan to help undertake an assessment of how the design and layout of the area currently enables people to lead active lifestyles and what could be improved.

NPPF Section 8: <https://www.gov.uk/guidance/national-planning-policy-framework/8-promoting-healthy-communities>

PPG Health and wellbeing section: <https://www.gov.uk/guidance/health-and-wellbeing>

Sport England's Active Design Guidance: <https://www.sportengland.org/activedesign>

(Please note: this response relates to Sport England's planning function only. It is not associated with our funding role or any grant application/award that may relate to the site.)

If you need any further advice, please do not hesitate to contact Sport England using the contact details below.

Representation number: 2

From: David Stuart, Historic Places Adviser

Organisation: Historic England

Submitted: 15 February 2024

Comments:-

Thank you for your Regulation 16 consultation on the submitted version of the Sturminster Marshall Neighbourhood Plan.

I can confirm that there are no issues associated with the Plan upon which we wish to comment.

Our Regulation 14 consultation response is attached for information. [see box below]

FAO Alison Clothier, Parish Clerk

Dear Alison

Thank you for your Regulation 14 consultation on the draft Sturminster Marshall Neighbourhood Plan. Our apologies for not using the preferred methods for making a response set out below; the format of these did not comfortably allow for the submission of comments as we wished to make them.

Our previous involvement in the preparation of the Plan focused on the possibility of it including site allocations and this generating the potential for a full SEA. We note that the Plan as proposed now does not include any site allocations and there are as a consequence few comments that we would offer.

We congratulate your community on the detailed and comprehensive nature of its Plan, especially the inclusion of locally specific evidence and policies on the historic character of the Plan area and how this should be protected and enhanced. These should assist significantly in maintaining its distinctive and valued qualities when dealing with development proposals and determining appropriate outcomes.

Our best wishes to your community for the remaining stages of its Plan making process.

Representation number: 3

From: Chris Humphreys, Chairman

Organisation: Sturminster Marshall Football Club

Submitted: 15 February 2024

Comments:-

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We would support the need for additional green space as the football club would have to expand to accommodate additional members as the village grows. We are already at capacity in terms of pitches and if we want to cater for additional numbers we would require additional space to achieve this

Representation number: 4

From: Gaynor Gallacher, Assistant Spatial Planner (Highways Development Management)

Organisation: National Highways

Submitted: 20 February 2024

Comments:-

Thank you for providing National Highways with the opportunity to comment on the December 2023 submission version of the Sturminster Marshall Neighbourhood Plan. As you are aware, National Highways is responsible for operating, maintaining and improving the strategic road network (SRN) which in this case comprises the A31 which passes through the south of the plan area and includes the A31/A350 Roundhouse roundabout junction.

Having reviewed the draft plan we consider that in general terms the plan's proposed policies are unlikely in themselves to result in a scale of development which will adversely impact the SRN, however we would make the following comments.

The plan does not allocate sites for development or identify housing number requirements as these will be determined through the emerging Dorset Council Local Plan. It is noted that, apart from an allocation extending the existing Baillie Gate Industrial Estate for employment uses, the adopted 2014 East Dorset Local Plan did not allocate any housing sites. However, the January 2021 Dorset Council Issues and Options consultation did identify a number of preferred sites for housing, with the potential to deliver around 425 dwellings. Given the proximity of Sturminster Marshall to the A31, any large scale development coming forward in the plan area will need to be supported by an appropriate assessment of traffic impacts which should consider the operation of the SRN in line with national planning practice guidance and DfT Circular 01/2022. Where proposals would result in a severe congestion or unacceptable safety impact, mitigation will be required in line with current policy. We are therefore continuing to work with Dorset Council in the preparation of their transport evidence base for their emerging Local Plan.

With regards to policy SMNP2 and requirements for flood risk assessment, we note that impacts on the highways network have been included and this is welcomed. Proposals in the vicinity of the A31 corridor will be expected to address the potential for surface water impacts on the SRN and we will expect appropriate measures to be implemented to ensure that development does not increase flood risk for the SRN and that the requirements of DfT Circular 01/2022 are met (in particular paragraph 59).

Policy SNMP16 supports small-scale expansion of existing employment sites and references Baillie Gate in particular, although the supporting text also identifies Henbury Farm as a non-strategic employment site. National Highways would be particularly interested in any expansion at Henbury Farm given the existing access directly from the A31. We note the policy requires the submission of a transport assessment to support development coming forward. We will expect any proposals at Henbury Farm in particular to be supported by a robust transport assessment in line with DfT Circular 01/2022 and which considers the operation of the A31 and the suitability of the existing access arrangements to accommodate intensification of use. Any necessary improvements to the access which are required to accommodate development traffic will be expected to meet the standards as set out within the Design Manual for Roads and Bridges and be brought forward as part of the development.

Under Section 9 Traffic and Transport, Walking and Cycling, we have noted the plan's comments with regards to the potential for improving provision on the A31 on the Wareham Forest Way and an improved Henbury to Sturminster Marshall link, indicated on Map 13 and within Table 11. The need for consultation with National Highways is acknowledged within the supporting Plan text, but we would reiterate that engagement with National Highways should be undertaken at the earliest opportunity in respect of any proposals which impact on the A31.

We have also noted the requirement for transport assessments set out within Policy SMNP21, and welcome the inclusion of the A31 corridor within this policy.

Please note that these comments do not prejudice any responses National Highways may make on site specific applications as they come forward through the planning process, which will be considered by us on their merits under the prevailing policy at the time.

Representation number: 5

From: Philip Saunders, Planning Manager

Organisation: Wyatt Homes

Submitted: 26 February 2024

Comments:-

Please see attached representation.

Introduction

Wyatt Homes has an interest in land at Station Road, Sturminster Marshall, which is proposed for housing and related development in the emerging Dorset Local Plan (LP) under policy allocation STMR2. Wyatt Homes also has an interest in adjacent land at Dorset Springs, to the south, which is being promoted for housing and a strategic Suitable Alternative Natural Greenspace (SANG).

In our previous representation to the pre-submission Neighbourhood Plan (NP), Wyatt Homes stated that we could not support the NP as currently drafted, having particular regard to proposed policy SMNP18, which proposed c.3.4 ha of land at Station Road for sport and recreation facilities (effectively c.50% of the proposed Dorset Local Plan housing allocation STMR2). Policy SMNP18, and the extent of area it allocates, is based on an out of date saved East Dorset LP policy (policy SM3), dating from 2002 or earlier, and is not supported by an up-to-date evidence base. NP policy SMNP18 conflicts with emerging Dorset Local Plan policy STMR2 to allocate Land at Station Road for the development of c.225 dwellings. The emerging Dorset Local Plan does not seek to retain saved policy SM3 in any fashion given it has proved undeliverable for the past twenty plus years. Therefore, the approach proposed by the draft NP does not provide an appropriate framework for the future growth of Sturminster Marshall, nor tally with the approach of the emerging Local Plan.

Following on from Wyatt Homes representation to the pre-submission NP, draft NP policy SMNP18 seems to have evolved to become more specific, moving away from the allocation of sports pitches alone and instead allocating allotments, a Multi-use Games Area (MUGA), a skate park and car park. However, the allocation extent still remains the same, and, the exact nature of the policy wording, combined with it being unrealistically site specific, means that it is in conflict with the emerging Dorset Local Plan and housing allocation STMR2. There is no justification for the scale or location of the open space provision set out in Policy SMNP18. Our recommendation for the NP to be found sound is for policy SMNP18 and its associated plan (figure 21) to be deleted altogether, and for its associated, inaccurate text at paragraphs 8.24 and 8.25 to be amended.

The submission draft NP policy SMNP18 currently reads (note within the policy wording an incorrect figure is referenced - fig. 20 referred to should read fig. 21).

Policy SMNP18. SPORTS AND RECREATION AREA – LAND AT STATION ROAD

The following sport and recreation needs of the community should be met within land at Station Road, as identified in Saved Local Plan Policy SM3 and shown in Fig. 20:

- allotments
- a Multi Use Games Area
- a skate park
- car parking to serve the sports and recreation facilities.

The preceding text to NP policy SMNP18 (paragraphs 8.2.4 and 8.2.5) is also relevant to this representation and is set out below (**in bold** where Wyatt Homes are directly mentioned and misquoted).

*8.2.4 The landowner is now promoting this site for residential use through the Dorset Local Plan, and whilst the need for sports pitches is still relevant, **the Wyatt Homes (who holds an interest in this land)***

has made very clear that they have no intention of delivering the sports pitch at this time. The option to transfer demand of overplayed pitches to a site with spare capacity has yet to be tested in terms of whether this is feasible, and the Parish Council hopes to liaise further with relevant bodies to better understand how this is achieved. Should a need to consider and allocate land for additional sports pitches be confirmed, Policy SMNP18 will need to be reviewed.

8.2.5 At a more local level, it is clear that the need for allotments, a skate park and a multi use games area to serve the area remains relevant, and **Wyatt Homes has indicated a willingness to include play areas, the provision of a multi use games area (MUGA) or allotments within this area should the residential development be approved.** Furthermore, due to the proximity to Dorset Heathlands, any major housing development sites will need to provide Suitable Alternative Natural Green Space in order to mitigate potential harm to the sensitive heathland sites (Dorset Council provides further guidance on this in the Dorset Heathlands Planning Framework).

Wyatt Homes would have liked to engage in dialogue with the Neighbourhood Plan group in order to explain how we could accommodate some of the community demand for facilities on site, alongside an appropriate quantum of residential development as per the emerging Dorset Local Plan allocation.

We recognise that it may be appropriate to help meet the demands of existing residents either on site or via potential offsite contribution if there is evidence suggesting a need to enhance any existing facilities / play areas. A better approach would be for the NP group to delete policy SMNP18 and instead provide guidance and thought as to what might be justifiable in terms of need. This approach would also mean the NP group could have more of a worthwhile say in how non site-specific community aspirations linked to the development of land at Station Road could be delivered.

It should be recognised that community facility provision would need to go hand in hand with residential development to be viable, and that the allocation of the land in question at Station Road for a combination of recreation and play areas would not work from a masterplanning perspective, and simply represents poor planning.

Proposed Amends

Amends need to be made in order for the NP to be found sound. Wyatt Homes suggest that policy SMNP18 and associated plan at figure 21 be deleted altogether, and that supporting paragraphs 8.2.4 and 8.2.5 be amended as below (as struck through and additions in red) in order to remain in the NP.

8.2.4 The landowner is now promoting ~~this site~~ **Land at Station Road** for residential use through the Dorset Local Plan in conjunction with Wyatt Homes. ~~, and whilst the need for sports pitches is still relevant, the Wyatt Homes (who holds an interest in this land) has made very clear that they have no intention of delivering the sports pitch at this time.~~ The option to transfer demand of overplayed pitches to a site with spare capacity has yet to be tested in terms of whether this is feasible, and the Parish Council hopes to liaise further with relevant bodies to better understand how this is achieved. ~~Should a need to consider and allocate land for additional sports pitches be confirmed, Policy SMNP18 will need to be reviewed.~~

8.2.5 At a ~~more~~ local level, it is clear that ~~the~~ **there is a potential** need for allotments, a skate park and a multi use games area to serve the **wider village.** ~~area remains relevant, and~~ **Should residential development be allocated on Land at Station Road (as per the emerging Dorset Local Plan allocation**

STMR2) Wyatt Homes has indicated a willingness to work with the community to assess need and suitable locations for different types of open space or where appropriate and proportionate, to incorporate an element of this on site ~~include play areas/ the provision of a multi-use games area (MUGA), a skate park or allotments on site,~~ or provide offsite contributions. ~~should the residential development be approved.~~ Furthermore, due to the proximity to Dorset Heathlands, any major housing development sites will need to provide Suitable Alternative Natural Green Space in order to mitigate potential harm to the sensitive heathland sites (Dorset Council provides further guidance on this in the Dorset Heathlands Planning Framework).

Reasoning behind the proposed amendments to the Neighbourhood Plan

These amends are necessary in order for the NP to be found sound. In its current format, the NP cannot be found sound, or capable of being made for the following reasons, which are expanded on further in this representation.

- The NP conflicts with the emerging Dorset Local Plan
- Lack of identified need to justify NP policy SMNP18
- Conflict with the basic tests and conditions for Neighbourhood Plans

1) The NP conflicts with the emerging Dorset Local Plan

The emerging Dorset Local Plan is currently at the regulation 18 stage and was last consulted on in January 2021. The Dorset Local Plan is timetabled to proceed to regulation 19 (pre-submission consultation) towards the end of this year (2024). At present, rather than complementing the emerging LP and planning for sustainable, necessary housing growth in Sturminster Marshall, NP policy SMNP18 directly conflicts with emerging LP policy STMR2 by proposing c.50% of a proposed strategic housing site which was originally allocated for 225 dwellings, instead for allotments, a MUGA, skate park and car park. This is a very large and unrealistic expectation to be delivered.

In accordance with the emerging Local Plan and its up-to-date evidence base, the Neighbourhood Plan should complement emerging strategic policies. Whilst NP policy SMNP18 proposes to allocate the Site as a reflection of saved policy SM3 from the East Dorset Local Plan (2002), which states that land at Station Road will be developed as public open space for sports pitches, it should be recognised that saved policy SM3 is now over 20 years old, therefore there is clearly no realistic prospect of delivery. The emerging Local Plan no longer proposes to retain saved policy SM3, which represents an out of date, undeliverable allocation.

If draft LP policy STMR2 were to be delivered, Land at Station Road would provide much needed homes alongside the delivery of a strategic SANG at Dorset Springs (adjacent and to the south of Station Road). The SANG would provide a fantastic opportunity to open up previously private land to the community for recreational purposes; positive early discussions have taken place between Wyatt Homes, Dorset Council and Natural England about how we could deliver an attractive space and community benefit. Whilst plans are currently only conceptual, there would be the opportunity to provide a landscaped area featuring circular walks and connections to the wider public rights of way network as well as lakes offering the potential for wild swimming and biodiversity enhancements. Wyatt Homes are open to constructive engagement with the NP group and village community to help shape open space and opportunities for community facilities within a development of this nature.

The NP should complement the emerging LP and focus its energy and productivity on looking at open space provision which is evidently needed (as set out further within this representation) and actually able to be delivered, such as a SANG at Dorset Springs and associated play areas which Wyatt Homes could provide in conjunction with housing development. Wyatt Homes are clear though that such provision simply cannot be at the expense of allocating 50% of an emerging LP housing allocation site. If circa half of the emerging LP allocation site at Station Road was to be allocated by NP policy SMNP18, such community and recreational provision against a lesser amount of housing delivery on site would not be warranted or financially justifiable, especially when we would also seek to provide a strategic SANG to the immediate south on Dorset Springs, which itself would incur significant cost to provide community benefit.

Effectively, if made as currently proposed, policy SMNP18 of the NP would remain undeliverable and redundant, as saved LP policy SM3 has proved for the last twenty plus years. Pragmatically, Wyatt Homes are open to dialogue and the opportunity to explore how such facilities desired by the Neighbourhood Plan group could be provided or enhanced on or off site. Indeed Wyatt Homes have reached out to the NP group (Parish Council) to meet, and we hope this offer will be taken up in the future.

2) Lack of identified need to justify NP policy SMNP18 – an Assessment of playing pitch and recreation facilities in Sturminster Marshall

Playing Pitch and Recreation facilities – Needs Assessment Evidence Base

The evidence base relating to open space provision at Sturminster Marshall has evolved significantly since now saved LP policy SM3 was adopted in the 2002 East Dorset Local Plan. An assessment of subsequent reports and evidence gathered on Sturminster Marshall's playing pitches and recreational open space is contained within the following reports; summaries and conclusions of which are set out in this representation.

- East Dorset Open Space, Sport and Recreation provision report (2007)
- Dorset Council Draft Playing Pitch Strategy Assessment Report (2019)
- Dorset Council Draft Playing Pitch Strategy and Action Plan (2019)
- Wyatt Homes independent assessment of Sturminster Marshall against Fields in Trust Guidelines (Guidance for Outdoor Sport and Play: Beyond the Six Acre Standard, 2020)

Evaluation of the East Dorset Open Space, Sport and Recreation provision report (2007)

Within this former East Dorset Council report Sturminster Marshall is assessed on an area profile basis. Conclusions arising from the assessment state that there is a general overprovision of recreation grounds, public gardens and amenity green space.

However, it is noted that there is a lack of play areas to serve those children living at the northern end of the village. The report also notes that a Multi-Use Games Area (MUGA) should be considered to

support football activity and as a general play resource. Provision of allotments is also lacking, as is dedicated, useful outdoor space for teenagers.

Evaluation of the Dorset Council Draft Playing Pitch Needs Assessment and Action Plan (2019)

Dorset Council's most recent Playing Pitch Strategy Assessment, dated 2019, has regard to pitches at Sturminster Marshall.

Churchill Close Recreation Ground (Site ID 36) is assessed as a playing pitch within the report and is noted for its use by Sturminster Marshall football club. The pitch is noted for its quality having improved over the last few seasons due to the club carrying out dedicated levels of pitch maintenance, rather than leaving the maintenance to the Parish Council.

The report has assessed the capacity of current pitches to sustain play, and the extent to which they are used. Churchill Close Recreation Ground was recorded as being slightly overused by the adult football team, whereas there is pitch capacity for the mini (7v7 and 5v5) teams and the youth (9v9) team, with there being 'actual spare capacity' at peak times. In terms of cricket pitch provision, the ground at Churchill Close is recorded as having spare capacity.

Within the Action Plan report it is stated that Churchill Close Recreation ground should be protected for future use, and that where there is any overdemand for football use, this should be transferred to a pitch with spare capacity. At the same time it is noted that the cricket pitch on Churchill Close is underused and the report advises utilising this spare capacity to accommodate future demand and / or to alleviate overplayed provision. Further to this, the report does not take into account available provision at Sturminster Marshall First School.

In reaching the above conclusions it is important to note that the accompanying playing pitch strategy and action plan (2019) provides an estimate of demand for pitch sport based on population forecasts and club consultation to the year 2036, taking into account population growth in accordance with the Local Plan. The year 2036 was chosen as a suitable time period to coincide with local plan forecasts from the former five Dorset local authority areas.

The Playing Pitch Strategy and Action Plan Report utilises the 'Sport England New Development Playing Pitch Calculator' which updates the likely demand generated for pitch sports based on housing increases and converts the demand into match equivalent sessions and the number of pitches required. This is achieved via team generation rates to determine how many new teams would be generated from an increase in population derived from housing growth.

The report states that *'experience shows that only housing sites with 600 dwellings or more are likely to generate demand for new provision to be created'*. For context, Sturminster Marshall in total is allocated 425 dwellings within the emerging Dorset wide Local Plan.

Therefore, independent, Dorset Council evidence would suggest that there is not sufficient demand for the allocation of a large amount of land for dedicated playing pitches on Land at Station Road.

Assessment against Fields in Trust Guidance

In order to provide a benchmark assessment, Sturminster Marshall's existing open space provision has been assessed against Fields in Trust (FiT) guidelines, which represent an industry wide, good practice standard.

Assessment against per 1000 population provides the following results within Table 1. Table 1 has been prepared in line with Sturminster Marshall's current population of c. 1,507 people based on 2021 census findings.

Table 1: Assessment of Sturminster Marshall against Field in Trust guidelines

Open Space type	FiT Quantity guideline (ha per 1,000 population)	Current provision	Comparison against ideal provision for current population (1,507 people)
Playing pitches	1.20	Playing pitches at Churchill Gardens: 22,200m ² (2.2ha) Sturminster Marshall First School: 2,720m ² (0.27ha) Total 2.47ha	1.8ha required, there is a current surplus
All outdoor sports (inclusive of playing pitches plus any other courts and artificial turf)	1.60	2.47ha (playing pitches). Sturminster Marshall lacks artificial surfaces / tennis courts etc. Sturminster Marshall also provides c. 12ha of dedicated golf course	2.4ha required, there is a current surplus
Equipped / designated play areas	0.25	0.072ha (Churchill Gardens play area)	0.37ha deficit
Other outdoor provision (MUGA's, skate parks etc)	0.30	nil	0.45ha deficit

On the basis of the assessment there is not sufficient demand or need for further playing pitches in Sturminster Marshall at the present time to justify NP policy SMNP18 allocating land at Station Road for such a purpose, nor replicating saved policy SM3 as previously proposed in the pre-submission version of the NP which Wyatt Homes made representations to.

There is a potential need for children's play areas and more specialist provision such as multi-use games areas (MUGA) or a skate park for instance. There is currently a surplus of playing pitches which could accommodate these uses.

Wyatt Homes would be happy to appraise potential areas in which these facilities could be accommodated on a future development at Sturminster Marshall or assess how existing play areas could be enhanced to accommodate these as appropriate.

The above assessment of the aforementioned evidence base documents was presented within Wyatt Homes pre-submission consultation representation to the Neighbourhood Plan. However, given a lack of dialogue between the NP group and Wyatt Homes, we feel that it is inappropriate to seemingly evolve draft policy SMNP18 to now allocate 50% of an emerging housing allocation for the delivery of a skate park, MUGA, allotments and an associated car park. It is impractical to believe that such a large provision of play and community facilities could be provided on c.50% of a housing allocation when a significant quantum of housing is required to be delivered to financially justify such play and community provision. Wyatt Homes would also offer significant community facilities via provision of a strategic SANG at Dorset Springs, which, in and of itself, will offer significant public benefit to existing and future residents.

The NP group's allocation via policy SMNP18 is unjustified and undeliverable. It should now be deleted in order for the NP to be found sound.

A more helpful approach would be for the NP group and Parish Council to engage with Wyatt Homes to explore how community recreational facilities can be proportionately delivered as part of, or via a contribution from, a wider housing development.

3) Basic tests and conditions for Neighbourhood Plans

The emerging Neighbourhood Plan must meet the basic conditions necessary for it to proceed to examination and become part of the adopted development plan. The basic conditions 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. At present, the NP fails to meet basic NP test conditions D and E as set out below.

Condition D states that the making of the neighbourhood plan must contribute to the achievement of sustainable development. By allocating a site for sport, recreation and community facilities when it is a proposed strategic allocation for housing, the NP is not recognising the up-to-date emerging Local Plan evidence base.

The NP should reflect and complement the emerging LP which points to a need for green belt housing release to meet housing need. The emerging LP evidence base should take precedence over out of date policy.

The approach to retaining former East Dorset LP saved policy SM3 from 2002 in one form or another is not in the interests of promoting sustainable development in Sturminster Marshall. Saved policy SM3 would appear to be proven undeliverable over the last 20 years, therefore a new approach for land at Station Road is needed. The NP has an opportunity to articulate what form and type of development comes forward in association with the LP's proposed residential allocation at Station Road and the wider SANG at Dorset Springs. However, the NP currently falls short by repeating an unsustainable saved policy and allocating an unsustainably large piece of land for such uses. The NP therefore does not meet basic condition D in this regard.

Condition E states that 'the Neighbourhood Plan must be in general conformity with the strategic policies contained in the development plan for the area or authority' (our emphasis). The Neighbourhood Plan should be prepared having regard to Planning Practice Guidance (PPG) set out below (our emphasis):

'A draft neighbourhood plan or Order must be in general conformity with the strategic policies of the development plan in force if it is to meet the basic condition. Although a draft neighbourhood plan or Order is not tested against the policies in an emerging local plan the reasoning and evidence informing the local plan process is likely to be relevant to the consideration of the basic conditions against which a neighbourhood plan is tested.'

'Where a neighbourhood plan is brought forward before an up-to-date local plan is in place the qualifying body and the local planning authority should discuss and aim to agree the relationship between policies in:

- *the emerging neighbourhood plan*
- *the emerging local plan (or spatial development strategy)*
- *the adopted development plan*

'The local planning authority should work with the qualifying body so that complementary neighbourhood and local plan policies are produced. It is important to minimise any conflicts between policies in the neighbourhood plan and those in the emerging local plan, including housing supply policies. This is because 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: 009 Reference ID: 41-009-20190509

Revision date: 09 05 2019 See [previous version](#) (Planning Practice Guidance, (PPG))

Therefore, as currently drafted, the NP does not conform to basic condition E, as it does not complement the emerging LP. PPG policy states that any conflict must be resolved in favour of the last emerging development plan document. As currently drafted, the emerging LP policy for Station Road would supersede that of the NP, effectively making NP policy SMNP18 redundant within a year or two if the LP progresses as scheduled and/or without amend.

Conclusions

On the basis of overarching PPG policy, proposed NP policy SMNP18 should be deleted as it does not have regard to emerging Local Plan policy nor the evidence base on housing need and open space provision. NP policy SMNP18 directly conflicts with an emerging LP housing allocation policy.

Furthermore, if the NP is examined and becomes part of the development plan prior to the emerging Local Plan being adopted, as stated within PPG, the later adoption of the LP containing a strategic

housing allocation would supersede NP policy SMNP18 regardless. Therefore it is in the best interests of the Neighbourhood Plan to engage with the Local Plan policy team and Wyatt Homes to produce a solution which works for all parties.

Policy SMNP18 reflects an out-of-date saved policy allocation from the 2002 East Dorset Local Plan which has not come to fruition for over 20 years. Policy SMNP18 is not deliverable. There is no justification to support the allocation. The sports and recreation facilities being sought could not be provided without delivery of a significant quantum of housing. The NP should recognise the shortcomings of saved policy SM3 and its allocation simply being presented in another guise; it's further retention would remain undeliverable. In order to be found sound, consistent with the emerging Local Plan, and to meet the basic conditions of a NP, proposed policy SMNP18 should be deleted.

However, there may be merit in the NP suggesting what types of community facilities they might like to see delivered alongside future housing development in the area (which could be on site or via off site contribution), but not on a site specific basis or via a site specific policy as currently worded in policy SMNP18.

Wyatt Homes suggested earlier in this representation that policy SMNP18 be deleted, but that supporting text could remain if amended as set out below (text to be deleted, text suggested for inclusion by Wyatt Homes in red). In conjunction with the proposed amends below, figure 21 (Proposed additional Sports and Recreation land), which shows a plan allocating land at Station Road for such uses, should also be deleted.

*8.2.4 The landowner is now promoting this site **Land at Station Road** for residential use through the Dorset Local Plan in conjunction with Wyatt Homes. ~~and whilst the need for sports pitches is still relevant, the Wyatt Homes (who holds an interest in this land) has made very clear that they have no intention of delivering the sports pitch at this time.~~ The option to transfer demand of overplayed pitches to a site with spare capacity has yet to be tested in terms of whether this is feasible, and the Parish Council hopes to liaise further with relevant bodies to better understand how this is achieved. Should a need to consider and allocate land for additional sports pitches be confirmed, Policy SMNP18 will need to be reviewed.*

*8.2.5 At a ~~more~~ local level, it is clear that ~~the~~ **there is a potential** need for allotments, a skate park and a multi use games area to serve the **wider village. ~~area remains relevant, and~~ **Should residential development be allocated on Land at Station Road (as per the emerging Dorset Local Plan allocation STMR2)** Wyatt Homes has indicated a willingness to **work with the community to assess need and suitable locations for different types of open space or where appropriate and proportionate, to incorporate an element of this on site** ~~include play areas/ the provision of a multi use games area (MUGA), a skate park or allotments on site,~~ **or provide offsite contributions.** ~~should the residential development be approved.~~ Furthermore, due to the proximity to Dorset Heathlands, any major housing development sites will need to provide Suitable Alternative Natural Green Space in order to mitigate potential harm to the sensitive heathland sites (Dorset Council provides further guidance on this in the Dorset Heathlands Planning Framework).***

To finish, Wyatt Homes are keen to encourage both a productive dialogue with the Neighbourhood Plan group and engagement with the wider village community. Wyatt Homes would welcome the opportunity to work with the NP group and Dorset Council to identify opportunities for open space provision that are actually able to be delivered, such as a SANG, play area, or potential provision of a MUGA or skate park if wider community engagement suggests that is what is wanted and that there is a justified community need. Wyatt Homes are open to exploring how such features could be enhanced off site, provided on site, or potentially as part of the larger strategic SANG proposed at Dorset Springs.

Representation number: 6

From: Matthew Pearce, Planning Specialist

Organisation: Environment Agency

Submitted: 1 March 2024

Comments:-

Thank you for consulting the Environment Agency on the submission publication of the Sturminster Marshall Neighbourhood Plan

We do not have any significant concerns with the plan, and we therefore have no detailed comments to make.

Representation number: 7

From: Mr Stephen Gerry, resident of Sturminster Marshall

Submitted: 29 January 2024

Comments:-

I fully support the Neighbourhood Plan as submitted for consultation.

Representation number: 8

From: Mr Paul Bennett, resident of Sturminster Marshall

Submitted: 20 February 2024

Comments:-

Page 22, section 5.3 – Sturminster Marshall is surrounded by Green Belt and Areas of Outstanding Natural Beauty, all of which must be respected.

Section 5.4 – The policy must preserve access to and public use of the footpath which runs N-S along the eastern boundary of the golf course, and the spurs which connect to it across the golf course and Barton's Ground

Page 24, Map 7 – Local Green Spaces – Bartons Ground must be preserved for public access and not be built upon. It contains mature trees which are protected by a blanket Tree Preservation Order.

Page 34, para 6.2.9 – Built Characteristics – any development must preserve and enhance the setting of the Grade II historic buildings shown in the Historic Core at Map 9, being Holly Cottage and Keystone Cottage.

Page 59, Section 7.3 – and see 5.4 above. The Golf Course should not be built upon and should be retained.

Page 121, paras 15.3.1 to 15.3.3 – A Housing Target of 3 houses built per annum over 10 years seems reasonable and should be adopted.

Representation number: 9

From: Mr Douglas Marsh, resident of Sturminster Marshall

Submitted: 21 February 2024

Comments:-

LG54 Commons Within The Conservation Area

The site of the former Village Pound adjacent to Trafalgar Cottage, Back Lane should I feel be included in this section. The area was granted by the Commons Commissioners in the early 1980's and has been leased by the Parish Council as an allotment since then.

This Area should be included in this section along with Village Greens etc mentioned within the Plan.

Page 75 Improved Public Transport Provision

This should be a priority as children from the age of 9 are bused to schools predominantly in Corfe Mullen where friendship groups are formed during school years, with no safe cycle routes available activities outside of School can only be maintained by 'Parental Taxis'.

Residents of Sturminster Marshall have at present no Public Transport connection to Doctors/Dentists surgeries in Corfe Mullen, Wimborne and Broadstone and this should be addressed.

Representation number: 10

From: Philip Reese, Senior Planning Policy Officer

Organisation: Dorset Council

Submitted: 1 March 2024

Comments:-

Dorset Council welcomes progress of the Sturminster Marshall neighbourhood plan, and supports its vision and objectives. We have commented on earlier versions, including the Regulation 14 version (as evidenced by the submitted Consultation Report), and are pleased to see that many of our comments have been taken on board. We hope that these latest comments will help to finalise the plan ready for referendum.

Section	Our comments
Para 2.3.2 and Appendix 2	<p>We note that one of the supporting documents is produced by AECOM and is called 'Sturminster Marshall Design guidance and codes'. At 127 pages, this looks to be quite a comprehensive document, which includes a checklist with which to evaluate development proposals (pp 117-124). NPPF para 134 states that design guides and codes can be prepared at a neighbourhood scale, and can carry weight in decision making if they are produced as part of a plan. However, apart from the references in para 2.3.2 and Appendix 2, the submitted neighbourhood plan (NP) does not make further reference to the AECOM document. It might be useful if it could be clarified whether the AECOM document is to be used in decision making.</p> <p>If the policies in the NP were linked to the Design Guidance and Code document, then consideration could be given to reducing the number of design policies in the NP. These policies could be rationalised and stronger reference made to the Design Guidance and Codes document in the policy text, as some of the policies duplicate the code content.</p> <p>With regards to duplication, we note that while the NP has copied certain sections of the AECOM document, there are many sections that have not been copied. For example, page 53 of the NP includes photographic examples of fenestration, which has been copied from page 96 of the AECOM document. However, the AECOM document also includes examples of walls, roofs, ground surfaces and boundary treatment (pp 95-97). Are we to assume that these examples have been rejected by the qualifying body, or are they as relevant as the examples of fenestration that have been included? This is just one specific example; the AECOM document provides many other illustrations and diagrams which might be useful.</p>
Paras 2.5.1 and 2.5.2	<p>We note the relatively short plan period (2023 to 2033). We feel this is appropriate given the stated intention to review the plan in the next 5 years. We appreciate that this is likely to be necessary following the adoption of the</p>

Section	Our comments
	<p>emerging Dorset Council Local Plan, which may include new strategic development allocations in the NP area.</p>
<p>Paras 4.2.1 to 4.2.3 and Policy SMNP1</p>	<p>We support the principle of promoting sustainable development standards. However, we feel that greater consideration and reference should be made to recent documents that Dorset Council has published under the heading 'Planning for climate change'. These consist of:</p> <ul style="list-style-type: none"> • Interim guidance and position statement & separate appendix B - This is to help decision makers weigh up the benefits of addressing climate change with other material considerations. It addresses sustainable design and construction and planning for renewable energy schemes. • Sustainability checklist and guidance - This sets out questions for applicants to check in relation to their schemes' sustainable design and construction. • Listed buildings and energy efficiency - what you can do for climate change - This is to help householders with what you can do to increase energy efficiency in listed buildings and understand what you would need consent for. <p>In Dorset it became a requirement to submit a Sustainability Checklist and Statement from 15 January 2024 for the following types of development:</p> <ul style="list-style-type: none"> • New residential/the creation of additional residential units including change of use/conversion, replacement dwellings and holiday accommodation including hotels. • New non-residential development including commercial, office, storage and distribution, retail, industrial, waste, community or leisure and educational development including extensions of over 10% additional gross internal floorspace including proposals for a change of use to any of these uses. • New or replacement agricultural buildings. • Mixed use development. <p>The checklist and statement should demonstrate how sustainable design and construction have been considered, including:</p> <ul style="list-style-type: none"> • reducing energy consumption and carbon emissions • minimising waste • increasing recycling • conserving water resources • incorporating green infrastructure

Section	Our comments
	<ul style="list-style-type: none"> • sustainable drainage, minimising pollution • maximising the use of sustainable materials • adaptation to climate change • sustainable travel <p>Applicants for householder development are also encouraged to consider relevant parts of the checklist and submit either a completed checklist or include within their planning statement information to demonstrate how climate change has been taken into consideration.</p> <p>It's not clear to what extent Policy SMNP1 goes beyond what Dorset Council already requires (para 4.2.2 talks about building on the Council's requirements). It would be useful if the supporting text and/or this policy could confirm that completion of a Sustainability Statement and Checklist would demonstrate compliance with policy SMNP1. The types of development that the policy applies to could also be aligned with the Council's local list requirements (e.g. amending reference to extensions greater than 100sqm to extensions that are greater than 10% of the existing floorspace).</p> <p>We note that references are made to the requirement of a Sustainability Statement in later sections of the NP (para 6.4.20, Policy SMNP13 and SMNP16), so it would seem sensible if this section could be updated accordingly.</p>
Map 3	<p>While we appreciate that we supplied this map last year, Dorset Council's flood risk team have since recommended using a different layer called "Groundwater Flood Warning Map 2019" in order to highlight areas at risk from groundwater flooding. We have prepared a version of Map 3 using this layer and included it in Appendix 1 to these comments.</p> <p>For reference, the two groundwater flood risk layers can be view on the interactive Dorset Explorer map.¹</p>
Policy SMNP2	<p>Bullet point 3 – "Management / maintenance arrangements ... should be clearly set out as part of the planning application"</p> <p>This type of technical detail is usually dealt with through discharge of conditions. National SUDS policy is set out in a Written Ministerial Statement (WMS).² It states that LPAs should ensure through the use of planning</p>

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<https://gi.dorsetcouncil.gov.uk/explorer/?layers=26265,19125,41&basemap=19963&x=394744.40&y=99558.24&epsg=27700&zoom=14>

² <https://www.parliament.uk/globalassets/documents/commons-vote-office/December-2014/18-December/6.-DCLG-sustainable-drainage-systems.pdf>

Section	Our comments
	<p>conditions or planning obligations that there are clear arrangements in place for ongoing maintenance over the lifetime of the development. The WMS adds that it should be taken into account in the preparation of neighbourhood plans.</p>
Policy SMNP3	<p>The policy is largely in line with paragraph 020 of the Waste supply, wastewater and water quality Planning Practice Guidance.³ It states: “If there are concerns arising from a planning application about the capacity of wastewater infrastructure, applicants can be asked to provide information about how the proposed development will be drained and wastewater dealt with.” It might be useful if the supporting text could refer to this paragraph in the PPG in order to justify the policy.</p>
Policy SMNP4	<p>Further information is required to support this policy as at present it is unclear where this policy would apply. The supporting text refers to that of landscape character and therefore it is assumed that the intention is for this policy to apply to areas outside of the village. In accordance with the Local Plan there would be limited development that could occur outside of any main urban area to a scale that would require such policies. If the intention is for this policy to apply to exception site development or to allocations, then this should be specified.</p> <p>If this policy is to only apply to rural areas outside of the village it should be specified, and the policy title changed to ‘Maintaining rural character’. The phrasing could be: ‘On the outskirts of the village, development should retain rural character...’ or ‘Outside the main urban area of the village, development should retain rural character...’</p> <p>If the policy is to also apply within the village, the use of the phrase ‘rural character’ is not suitable. The definition of rural character is that which the quality of the landscape is dominated by pastoral, agricultural or forest. Within the village, Sturminster Marshall would be considered to be semi-rural/semi-urban or urban in character.⁴ If the policy is to apply to the whole NP area, the phrasing of the character types it applies to should be reconsidered as not all of them have a rural character.</p>
Para 5.3.5	<p>While we acknowledge that the Policies Map to the East Dorset Local Plan ‘Core Strategy’ does identify two ‘Quiet Roads’ in the neighbourhood area, the</p>

³ <https://www.gov.uk/guidance/water-supply-wastewater-and-water-quality>

⁴ There are detailed studies on definitions of a transect diagram defining characteristics from natural/rural areas to city centre urban: <https://www.cnu.org/publicsquare/2017/04/13/great-idea-rural-urban-transect>

Section	Our comments
	written plan does not make any specific reference to them – so there is ambiguity over their status and what the designation means in practice.
Policy SMNP5	We suggest that it might be useful if the policy referred to Map 6 which identifies the locations of the key landmarks.
Policy SMNP6	Para 107 of NPPF states: “Policies for managing development within a LGS should be consistent with those for Green Belts”. With regards to proposals affecting the Green Belt, para 152 states: “Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.” For this reason, in our experience, examiners usually require policies that protect LGS from “inappropriate development” to include an exception clause along the lines of “except in very special circumstances”.
Policy SMNP7	<p>The policy begins by saying that development “must protect” biodiversity. As discussed in para 2.2.9 of the NP, this is to be interpreted as a “very strong command”. However, it goes beyond what is set out in national policy, and in particular the NPPF. Para 180(d) of the NPPF sets out the overarching principle that planning policies and decisions should minimise impacts on and provide net gains for biodiversity. Para 185 adds more details with regards to plans, stating that they should (a) identify, map and safeguard components of local wildlife-rich habitats, and (b) promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority specials; and identify and pursue opportunities for securing measurable net gains for biodiversity.</p> <p>The purpose of the policy of biodiversity net gain appears to be to allow for some harm to biodiversity provided that overall there is an improvement (at least 10% improvement is required by legislation). Policy SMNP7, as currently drafted, would lead to development proposals that would result in the loss of any biodiversity being refused. We suggest that the policy is re-organised, with paragraph 3 (regarding BNG) being brought to the top, and the remainder of the policy setting out how BNG can be achieved at the local level.</p> <p>The final part of the policy (para 4) is poorly worded (it’s not the measures that do the considering). Perhaps revise to “Measures taken to mitigate harm to, and where practicable, strengthen biodiversity, that applicants should consider include:”</p>

Section	Our comments
Policy SMNP8	Typo in final sentence: "Proposals which enhance or would lead to a better appreciation of the significance <u>of</u> these heritage assets will be looked on favourably."
Policy SMNP9	Policy noted. Following on from our previous comments regarding the AECOM design guidance and code document, reference to this document could be incorporated into this policy. The phrasing could be: 'The Sturminster Marshall Design Guidance and Codes document sets out the expected principles and codes to be incorporated into developments and should be referred to in relevant planning applications and decision making'.
Policy SMNP10	<p>The phrase 'as a general rule' does not add anything and weakens the policy. As noted in para 2.2.9, the use of 'should' in a policy allows for a degree of flexibility where necessary. We therefore suggest that it is removed.</p> <p>Bullet point 1: Although it is acknowledged that the village has a strong linear emphasis, requiring development to maintain a strong linear development causes concern as linear settlements are not very walkable and do not encourage sustainable travel through walking. It would be preferable to state "frontages should reinforce the linearity of the street, where possible, in line with the Sturminster Marshall Design Guidance and Codes."</p> <p>Bullet point 3: due to the phrasing, 'where feasible', it would be easy for a developer to argue that trees cannot be provided within the street scene. The requirement for a 1 metre clearance and to not block views in the policy may add to the ability of a developer to resist this policy. It is therefore suggested that it is reworded to encourage tree planting where possible.</p> <p>Bullet point 5 has two very different requirements. It is suggested that this point is split into two.</p> <p>In the final paragraph the word 'elements' should be replaced with 'features'.</p>
Policy SMNP11	<p>As per our comments to SMNP10, the phrase 'as a general rule' does not add anything and therefore we suggest that it is removed.</p> <p>Reference to the design code could be incorporated into this policy as part of bullet point 2. The phrasing could be "The Sturminster Marshall Design Guidance and Codes document defines the character areas and sets out the expected principles and codes to be incorporated into developments."</p>

Section	Our comments
	It might be useful to identify when the exception of 2.5 storeys would be appropriate. Perhaps at junctions or key nodes such as at village shops or a more central core area that seeks to promote socialising/gathering.
Policy SMNP12	Bullet point 3: clarify 'Local Plan' to 'adopted Local Plan'.
Policy SMNP13	As per our comments to SMNP10 and SMNP11, the phrase 'as a general rule' does not add anything and therefore we suggest that it is removed.
Para 7.1.3 and footnote 24	We note pro-rata calculations for a 'fair share' of housing development at Sturminster Marshall. However, we wish to point out that this approach assumes an even distribution of new housing across Dorset, otherwise known as dispersed development. This pattern of development has been contrary to planning policy for several decades, as plans have sought to focus development towards larger settlements which are considered to be more sustainable locations for growth.
Para 7.1.4	<p>"Proposed changes to National Planning Policy suggested in December 2022 look to clarify that authorities are not required to review the Green Belt if this would be the only way to meet their housing needs in full."</p> <p>The consultation has finished and the revised NPPF and PPG was published in Dec 2023. The paragraph in NPPF regarding altering green belt boundaries has been amended. New NPPF para 145 states: "Once established, there is no requirement for Green Belt boundaries to be reviewed or changed when plans are being prepared or updated. Authorities may choose to review and alter Green Belt boundaries where exceptional circumstances are fully evidenced and justified, in which case proposals for changes should be made only through the plan-making process." There is no mention about meeting housing need. However, other parts of NPPF continue to stress the need for plans to meet housing needs as far as possible, for example paras 15, 60, and 67.</p>
Para 7.2.1 – 2nd sub bullet point of the third bullet point	<p>"House types should reflect the current demand indicated by the affordable housing register, but are likely to favour more one or two bedroom homes, and options for house-sharing could also be explored in order to widen opportunities for more affordable rents."</p> <p>Comments from DC's Housing Enabling team:</p> <p>We note the suggestion of housing sharing for those on the affordable housing register, however, please note that registered providers do not allow house shares.</p>

Section	Our comments
Para 7.2.3	<p>“The 2014 Local Plan suggests that at least 50% of homes on large greenfield sites should be affordable, dropping to 40% on brownfield sites.”</p> <p>As noted in our Regulation 14 comments, these are requirements (not suggestions) of Policy LN3 of the Local Plan Part 1 (Core Strategy). Para 4.17 of the Local Plan states: “The need to provide affordable housing is a key objective of the Core Strategy and a target that 35% of all housing should be affordable is set. This is below the percentage requirements for affordable housing set in Policy LN3 as an acknowledgement that not all sites will be able to meet these requirements due to financial viability.” As such, it is an existing strategic policy requirement, but the wording here appears to downplay this.</p>
Para 7.2.3 and Policy SMNP14 (final para)	<p>The draft policy requires clearly identifiable space for home working. The supporting text above it provides a suggestion for minimum areas for this use, and seems to imply that 9.2sqm might be required per dwelling. If implemented, this is clearly going to have cost implications, which will have an impact on the price of market housing, and the overall viability of developments – both of which are identified as issues in the proceeding text. We are concerned that the financial impact of this policy has not been taken into account, and it could affect the number of on-site affordable homes that can be provided, which is a strategic policy in the local plan.</p>
Policy SMNP14	<p>“New housing developments should seek to meet the housing needs priorities of Sturminster Marshall parish, comprising, with major development incorporating affordable housing in line with the thresholds set in the Local Plan,”</p> <p>The word “comprising” is either superfluous here, or there is some missing text.</p>
Policy SMNP14, 2 nd bullet	<p>“First Home sale prices should be discounted by 40%”</p> <p>This discount is greater than the government’s minimum level of 30%. As with the requirements for home working space, this is likely to have an impact on viability, and therefore on the overall number of affordable homes delivered.</p>
Para 7.3.5 and Policy SMNP15	<p>“Allowing for some open market housing (up to 25%) on such sites may also improve viability and the chances of more affordable housing overall being built locally.”</p>

Section	Our comments
	<p>The East Dorset Local Plan (Policy LN4) and Housing and Affordable Housing SPD⁵ is silent on this matter. However, para 4.4.10 of the emerging Dorset Council Local Plan (options consultation 2021) states that the provision of small numbers of market homes on rural exception sites will not be supported for the following reasons: would reduce the likelihood of 100% affordable housing sites being delivered; could potentially increase land values; and could result in significant unplanned growth adjoining settlements. However, it adds that if a local community wishes to take forward this approach in their area, then a policy to allow small numbers of market homes on rural exception sites should be progressed through a neighbourhood plan.</p>
Policy SMNP16	<p>“The expansion of the Bailie Gate Industrial Estate, as envisaged in Policy RA1 of the Local Plan and identified in Fig. 18, should: ...”</p> <p>A draft policy of the expansion of the industrial estate is also in the Dorset Council Local Plan Options Consultation (draft Policy STMR1). Dorset Council notes Policy SMNP16, and its associated criteria, and supports it.</p>
Policy SMNP17	<p>This reads like a set of community aspirations rather than a policy that can be used to determine planning applications. Para 004 of the PPG on Neighbourhood Planning provides advice regarding wider community aspirations, stating that they need to be clearly identifiable (for example, set out in a companion document or annex). We suggest that this policy is deleted and the contents moved elsewhere.</p>
Policy SMNP18	<p>We have considerable concerns regarding this policy. While the lack of evidence suggests that the policy will be ineffective, our concern is that if left within the plan it will give the community unrealistic expectations regarding the future of the site at Station Road (as shown on Figure 21 – incorrectly referred to as Fig. 20 in the Policy).</p> <p>The policy text states that it is looking to continue to reserve land identified by saved Policy SM3, which dates from the 2002 Local Plan. No evidence has been put forward to demonstrate that the policy can be delivered. For example, the policy has not been subject to support from the landowner. The developer who currently has an interest in the land, Wyatt Homes, has written to express their opposition to this policy and make it clear that they feel they have been misrepresented in the supporting text to the NP. As such, Dorset Council feels</p>

⁵ Available from

<https://www.dorsetcouncil.gov.uk/documents/35024/300688/Housing+and+Affordable+Housing+SPD+Adopte+d+2018+WEB.pdf/c31abfee-1ce9-cad8-6f78-2e1cb178a279>

Section	Our comments
	<p>that this policy is contrary to NPPF paragraph 16(b) which states that plans should “be prepared positively, in a way that is aspirational but deliverable.”</p> <p>While basic condition (e) requires neighbourhood plans to be in general conformity with the strategic policies contained in the development plan, Dorset Council is of the view that Policy SM3 is a non-strategic policy (see NPPF para 21). Furthermore, the most recent East Dorset Local Plan was adopted in April 2014, and so is more than 5-years old, and therefore is in need of review (see NPPF para 33). Dorset Council intends to prepare a Dorset Council Local Plan (DCLP), which will replace all existing local plan policies in the East Dorset area. A Regulation 18 consultation of the DCLP was published in January 2021. It proposes to allocate the area of land in question at Station Road for housing development, under draft Policy STMR2. Because the site is within 5km of Dorset Heaths, heathland mitigation is required, in the form of a Suitable Alternative Natural Greenspace (SANG). Since the Regulation 18 consultation, it is our understanding that Wyatt Homes have been working with the landowners in order to prepare a deliverable solution for this site.</p> <p>While this is not a ‘basic conditions’ issue, the PPG on Neighbourhood Plans does state “It is important to minimise any conflicts between policies in the neighbourhood plan and those in the emerging local plan, including housing supply policies.” (Para 009). The reason for this is that where there is a conflict between policies, then it must be resolved in favour of the policy in the most recent plan. As such, we cannot support a policy that we currently foresee being superseded in the future by a policy in the Dorset Council Local Plan. Hence our concern about this policy setting unrealistic expectations.</p> <p>We appreciate that the village potentially has a need for community infrastructure, and we would support the parish council in identifying its shortfalls and make realistic plans for how and where new provision can be delivered. The emerging Dorset Council Local Plan proposes two other sites for residential development (at Springfields Farm and at the Golf Course), and the delivery of new community infrastructure could usefully be divided between these sites, rather than all being identified within the Station Road site.</p> <p>Our comments to the Regulation 14 consultation questioned whether there was evidence that this site at Station Road is available for what is being proposed (there is no support offered by the landowner), and whether there is funding available to make it deliverable. It does not appear from the Wyatt Homes representation that the qualifying body has engaged constructively to overcome our concerns. We therefore suggest that in light of NPPF para 16(b) (plans should be aspirational but deliverable), that Policy SMNP18 should be deleted. Saved Policy SM3 will remain in place until such time it is deleted/replaced by the Dorset Council Local Plan.</p>
Policy SMNP19	Policy noted.

Section	Our comments
Policy SMNP20	Policy noted.
Policy SMNP21	<p><i>Comments from DC's Transport Planning team:</i></p> <p>This policy could also state the requirement for a Travel Plan for developments which would generate a significant amount of traffic movement. This will help encourage safe, healthy, and sustainable travel behaviours and minimise single occupancy car travel to and from new developments.</p>
Figure 22	<p>We note that this figure contains two illustrations that appear to have been taken from the AECOM Design Guidance and Codes document. The illustration on the left shows one potential configuration for on-plot parking (it corresponds with F.92 in the AECOM document). This accords with the caption for Figure 22 ('On-plot parking best practice guidance'). The illustration on right corresponds with F.89 in the AECOM document, which is an illustration of possible on-street parking. This is not mentioned in the caption for Figure 22.</p>
Para 9.2.9	<p><i>Comments from DC's Transport Planning team:</i></p> <p>Improved public transport provision should be funded from development contributions. The paragraph should also seek to improve the bus stop infrastructure within the parish. This could include the provision of RTI displays at stops, raised kerbs, bus shelters (if feasible), and improved flag and poles stops.</p>
Policy SMNP22	Policy noted.
Policy SMNP23	Policy noted.

Appendix 1 – Revised flood map with alternative groundwater layer (suggestion for Map 3)

