

Comment

Consultee	Alan Bagley (1191476)
Email Address	[REDACTED]
Company / Organisation	Residents of Glebe Road
Address	22 Glebe Road Poole BH16 6EH
Event Name	Purbeck Local Plan Pre-submission Draft
Comment by	Residents of Glebe Road (Alan Bagley - 1191476)
Comment ID	PLPP578
Response Date	30/11/18 15:21
Consultation Point	Policy H6: Lytchett Matravers (View)
Status	Processed
Submission Type	Letter
Version	0.3
Files	H6-Bagley-PLPP578-redacted.pdf
Are you responding on behalf of a group?	Yes
If yes, how many people do you represent?	55
Please tick the box(es) if you would like to be notified at an address/email address of the following:	
Which policy / paragraph number / policies map does your comment relate to?	H6
Do you consider that the Local Plan is sound?	No

(Please note that the Planning Inspector will make the final decision on who will be invited to attend individual sessions at the examination, although all members of the public may observe the proceedings)

Only those who have made representations to the Local Plan during the statutory six week pre-submission publication period will be allowed to participate in the public examination.

If your representation is seeking a change to the Local Plan, do you consider it necessary to participate in the oral part of the examination? Yes



For Office Use Only

Requester ID: 032

Consultee ID: 1191476

Comment ID's: PLPP578

PART B

1. Which part of the Purbeck Local Plan does your representation relate to? Separate forms must be completed for each separate policy or paragraph you wish to comment on.

Policy number	H6
Policies map	
Paragraph number	

2. Do you consider that the Local Plan is:

- Legally compliant Yes ^{V?} No
- Sound Yes No
- Complies with the duty to co-operate. Yes ^{V?} No

If your representation relates to how the Council has prepared the Local Plan it is likely to relate to legal compliance. The Plan must:

- comply with Section 20 of the Planning and Compulsory Purchase Act 2004 and other related legislation;
- be in accordance with the Council's Local Development Scheme and Statement of Community Involvement;
- comply with the Town and Country Planning (Local Planning) (England) Regulations 2012, national planning policy and the duty to co-operate in relation to planning of sustainable development (section 110 of Localism Act 2011).

If your representation relates to the content of the Local Plan, it is likely to relate to its soundness. To be considered sound the plan must be:

- positively prepared - providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
- justified - an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
- effective - deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
- consistent with national policy - enabling the delivery of sustainable development in accordance with the policies in the Government's National Planning Policy Framework.

If your representation relates to how the Council has consulted with other relevant bodies during the plan making process, it is likely to relate to how the plan process has complied with the duty to co-operate in relation to the planning of sustainable development.

3. Please give details of why you consider the policy, policies map or paragraph number of the Local Plan is / is not legally compliant, sound or fails to comply with the duty to co-operate. (Please be as precise as possible).

We consider that Policy H6 (land to east of Wareham Road) has not been suitably justified for the following reasons:

SHLAA 0026

1. The principle objection is that the land is designated GREEN BELT and it is and has been for many years an aesthetic open space. The reasons for designating it as GREEN BELT still apply.
2. The proposed development, being on the extreme edge of the village is a considerable distance from amenities, necessitating a drive to the centre, for example people in Glebe Road, drive and do not walk to the village centre because it is too far.
3. Living in Glebe Road we know that all parts of the site north of Glebe Road is subject to frequent flooding. SHLAA 0026 (19) says "a small part of the site (western boundary) is at risk of moderate/high risk of surface water flooding. This is not the case; houses on the north side of Glebe Road have been affected by flooding. Significant surface water can be seen every winter at the boundary. The run-off from 95 houses will exacerbate this problem. SHLAA 0026 says "it should be possible to avoid this risk by excluding this land. We disagree as all the land is at risk.
4. The ancient woodland at the eastern end of the site is teeming with wildlife and is rarely visited but this sanctuary would be threatened. It is a unique corridor for wildlife amongst arable fields.
5. Local amenities are already under pressure from the existing population. Some village children have to go outside the village for their education and inhabitants have to wait a considerable time for a doctor's appointment. These amenities, for example, could not cope with the inhabitants of 95 extra houses.

continued on page 2

SHLAA 0023

6. We believe that the height of modern houses and the mass of 95 houses would have an adverse effect on the existing near-by houses and the view across the fields from Wareham Road.
Typically modern developments are out of character with the neighbouring homes. The local character of the houses is predominately low rise and of miscellaneous design. The site, being on a slope, would over-whelmingly dominate the existing homes to the south of the site.
7. The SANG provision is too far away as it is on the other side of the village so Wareham forest would be used more.
8. Wareham road is already dangerously congested, especially at school times; adding 95 more homes would add to the traffic problem. This plan proposes to add a lot of residents to an outlying part of the village, compounding the bottle neck in Wareham Road.
It would be impossible for emergency services to reach residents at peak times, when the pavements are crowded with children and the road would be even more congested with cars.

4. Having regard to your comments in question 3, please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound. You will need to say why this change will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording for any policy or text and where appropriate provide evidence necessary to support/justify the representation. (Please be as precise as possible)

Remove site SHLAA 0023 (land to east of Wareham Road) from the proposed plans.

(Please continue on a separate sheet if necessary)

5. If your representation is seeking a change to the Local Plan, do you consider it necessary to participate in the oral part of the examination? Please note that the Planning Inspector will make the final decision on who will be invited to attend individual sessions of the examination, although all members of the public may observe the proceedings. Only those who have made representations to the Local Plan during the statutory six week pre-submission publication period will be allowed to participate in the public examination.

Yes

No

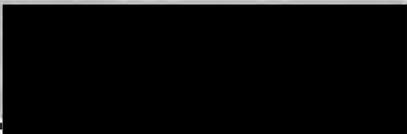
6. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary?

Voices from Gleebe Road, who have lived there for many years, know the site very well and the proposed development would impact negatively on both the environment and their lives.

(Please continue on a separate sheet if necessary)

Please sign and date this form:

Signature:

Date: 29th November 2018

Comment

Consultee	Mr Mark Retallack (1184772)
Email Address	████████████████████
Address	Unknown Unknown Unknown
Event Name	Purbeck Local Plan Pre-submission Dra
Comment by	Mr Mark Retallack (1184772)
Comment ID	PLPP35
Response Date	26/11/18 08:18
Consultation Point	Policy H5: Wool (View)
Status	Processed
Submission Type	Web
Version	0.1

Are you responding on behalf of a group? No

Please tick the box(es) if you would like to be notified at an address/email address of the following:

Which policy / paragraph number / policies map does your comment relate to? H5 Wool

Do you consider that the Local Plan is legally compliant? No

Do you consider that the Local Plan is sound? No

Do you consider that the Local Plan complies with the duty to co-operate? No

Please give details of why you consider this part of the Local Plan is / is not legally compliant, sound or fails to comply with the duty to co-operate (Please be as precise as possible)

I am not qualified to state if the plan is legally compliant, there is no "do not know" option, so answering "No".

Having regard to your previous comments, please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound. You will need to say why this change will make the Local Plan legally compliant or sound. It will be helpful if you are able to provide a copy of any relevant documents.

revised wording for any policy or text and where appropriate provide evidence necessary to support / justify the new wording (as far as possible)

Parking per House holdThe current parking situation at the Purbeck gate development shows that the recommended parking for new developments is inadequate. For example the current Dorset policy (NOTE 1) is for a up to 7 Two Bed Houses per hectare given that this policy was created over 7 years ago, and is based on information from the 2001 Census (NOTE 2) which is out of date. The New development would be at least 30 minutes away from all major conurbations where work and services are provided and new research by Transport for New Homes (NOTE 3) supported by the RAC shows that new housing usually does not require parking. Using this information, the number of houses allocated needs to be reduced using up-to-date figures for cars per household. This is already used in Urban areas to define the quantity of houses per hectare in a rural area like Wool. This is already evident from the current situation which leads to problems with the Bin Lorries being unable to collect bins, and concerns that fire engines would be unable to access the area.

InfrastructureThe pre-submission plan pays lip service to the fact that the Schools will need to be expanded, but it is not possible to expand the schools without compromising the education that they provide. While an increase in population is necessary for the doctors surgery, there are concerns that it is not coping now with the unusual mix of the old and very young population that adding to the population in what is a short period of ~10 years would not give the Village time to adapt. The survey of Dorset from the GP Patient Survey (NOTE 4). The usage of corner shops is acceptable for the local paper or when you are still using one of the bin supermarkets located in Weymouth, Dorchester or Poole. This leads to a dependency of cars. Wareham is only really used as a large corner shop. The plan uses the argument that because there is a train station nearby to work, Purbeck Gate show this to be false. Although useful for the occasional trip, the train station is not used for the majority of people.**NOTE 1:**

<https://www.dorsetforyou.gov.uk/planning-buildings-land/planning-policy/dorset-county-council/pdfs/planning/transport-policy-2018-2023.pdf>

2 -

<https://www.dorsetforyou.gov.uk/planning-buildings-land/planning-policy/dorset-county-council/pdfs/planning/transport-policy-2018-2023.pdf>

3: <http://www.transportfornewhomes.org.uk/wp-content/uploads/2018/07/transport-for-new-homes-summary-web.pdf>

<https://www.dorsetecho.co.uk/news/15444617-revealed-the-best-and-worst-gp-surgeries-in-dorset-as-voted-for-by-young-people/>

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If your representation is seeking a change to the Local Plan, do you consider it necessary to participate in the oral part of the examination? No

“

Are you responding on behalf of a group?

No

Which policy / paragraph number / policies map does your comment relate to?

H5 Wool

Do you consider that the Local Plan is legally compliant?

No

Do you consider that the Local Plan is sound?

No

Do you consider that the Local Plan complies with the duty to co-operate?

No

Please give details of why you consider this part of the Local Plan is / is not legally compliant, sound or fails to comply with the duty to co-operate. (Please be as precise as possible)

I am not qualified to state if the plan is legally compliant, there is no "do not know" option, so answering "No".

Having regard to your previous comments, please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound. You will need to say why this change will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording for any policy or text and where appropriate provide evidence necessary to support / justify the representation. (Please be as precise as possible)

Parking per House hold

The current parking situation at the Purbeck gate development shows that the recommended parking spaces per household on new developments is inadequate.

For example the current Dorset policy (NOTE 1) is for a up to 7 Two Bed Houses to only have 1 parking space each, given that this policy was created over 7 years ago, and is based on information from the 2001 Census (NOTE 2) 17 years ago, it has to be assumed that it is out of date.

The New development would be at least 30 minutes away from all major conurbations where work and usable supermarket shops are found and new research by Transport for New Homes (NOTE 3) supported by the RAC shows that new housing usually depends heavily on cars.

Given the above information, the number of houses allocated needs to be reduced using up-to-date figures for cars per household.

You cannot use house number predictions used in Urban areas to define the quantity of houses per hectare in a rural area like Wool. This is already evident from Purbeck Gate where this regularly leads to problems with the Bin Lorries being unable to collect bins, and concerns that fire engines would be unable to traverse the maze created.

Infrastructure

The pre-submission plan pays lip service to the fact that the Schools will need to be expanded, but does not provide any evidence that its possible to expand the schools without compromising the education that they provide.

While an increase in people will provide extra money per-house hold for the doctors surgery, there are concerns that it is not coping now with the unusual mix of the old and very young demographic that are in Wool and that adding to the population in what is a short period of ~10 years would not give the Village time to adapt. The surgery is already the worse performing in Dorset from the GP Patient Survey (NOTE 4).

The usage of corner shops is acceptable for the local paper or when you run out of milk, however the majority still using one of the bin supermarkets located in Weymouth, Dorchester or Poole. This leads to a dependency of cars (see above). The Sainsburys in Wareham is only really used as a large corner shop.

The plan uses the argument that because there is a train station in wool, it will be used for commuting to work, Purbeck Gate show this to be false. Although useful for the occasional trip, the train station is not used for the regular work commute by the majority of people.

NOTE 1: <https://www.dorsetforyou.gov.uk/planning-buildings-land/planning-policy/dorset-county-council/pdfs/planning/transport-dm/car-parking-study-volume-1.pdf>

NOTE 2 - <https://www.dorsetforyou.gov.uk/planning-buildings-land/planning-policy/dorset-county-council/pdfs/planning/transport-dm/car-parking-study-volume-2.pdf>

NOTE 3: <http://www.transportfornewhomes.org.uk/wp-content/uploads/2018/07/transport-for-new-homes-summary-web.pdf>

NOTE 4: <https://www.dorsetecho.co.uk/news/15444617-revealed-the-best-and-worst-gp-surgeries-in-dorset-as-voted-for-by-you/>

If your representation is seeking a change to the Local Plan, do you consider it necessary to participate in the oral part of the examination?

No

»

Comment

Agent	A Child (1192742)
Email Address	[REDACTED]
Company / Organisation	The Planning Bureau
Address	4th Floor 100 Holdenhurst Road Bournemouth BH8 8AQ
Consultee	(1192745)
Company / Organisation	Retirement Housing Consortium
Address	Unknown Unknown Unknown
Event Name	Purbeck Local Plan Pre-submission Draft
Comment by	Retirement Housing Consortium (- 1192745)
Comment ID	PLPP749
Response Date	03/12/18 11:06
Consultation Point	Policy H11: Affordable housing (View)
Status	Processed
Submission Type	Letter
Version	0.1
Files	retirement-housing-consortium-1192742-PLPP660.pdf

Please tick the box(es) if you would like to be notified at an address/email address of the following:

Which policy / paragraph number / policies map does your comment relate to? H9 H11

Please give details of why you consider this part of the Local Plan is / is not legally compliant, sound or fails to comply with the duty to co-operate. (Please be as precise as possible)

See attached

Comment

Agent	A Child (1192742)
Email Address	[REDACTED]
Company / Organisation	The Planning Bureau
Address	4th Floor 100 Holdenhurst Road Bournemouth BH8 8AQ
Consultee	(1192745)
Company / Organisation	Retirement Housing Consortium
Address	Unknown Unknown Unknown
Event Name	Purbeck Local Plan Pre-submission Draft
Comment by	Retirement Housing Consortium (- 1192745)
Comment ID	PLPP750
Response Date	03/12/18 11:06
Consultation Point	Policy H9: Housing mix (View)
Status	Processed
Submission Type	Letter
Version	0.1
Files	retirement-housing-consortium-1192742-PLPP660.pdf

Please tick the box(es) if you would like to be notified at an address/email address of the following:

Which policy / paragraph number / policies map does your comment relate to? H9 H11

Please give details of why you consider this part of the Local Plan is / is not legally compliant, sound or fails to comply with the duty to co-operate. (Please be as precise as possible)

See attached

Having regard to your previous comments, please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound. You will need to say why this change will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording for any policy or text and where appropriate provide evidence necessary to support / justify the representation. (Please be as precise as possible)

See attached

Having regard to your previous comments, please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound. You will need to say why this change will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording for any policy or text and where appropriate provide evidence necessary to support / justify the representation. (Please be as precise as possible)

See attached



Planning Policy,
Purbeck District Council
Westport House
Worgret Road
Wareham
Dorset
BH20 4PP

3RD December 2018

By Email: localplan@purbeck-dc.gov.uk

Dear Sir/Madam,

PURBECK LOCAL PLAN REGULATION 19 PRE SUBMISSION CONSULTATION

This is a joint representation made on behalf of Renaissance Retirement, Pegasus Life, McCarthy and Stone and Churchill Retirement Living (referred to in the representations as “The Consortium”).

We are a group of independent and competing housebuilders specialising in sheltered housing for the elderly. Together as a group, we are responsible for delivering circa 90% of England’s specialist owner occupied retirement housing.

These representations are made in respect of policies and statements of the Local Plan that stand to impact on the delivery of retirement housing which is recognised nationally (through the National Planning Policy Guidance) as being a “critical” need to address given the shortfall in provision and the recognised benefits that such accommodation brings with it. Locally, the need to address the housing needs of the ageing population is recognised in the Strategic Housing Marketing Assessment.

Key to the delivery of retirement housing is Viability. A separate representation is made in respect of the viability evidence base supporting the draft policies in respect of affordable housing and in particular the proposed application of these policies against specialist housing proposals for older people. Upon review, we are concerned that this evidence base is flawed and misguided and puts at risk the delivery of both sheltered and extra care proposals of any tenure.

A representation in respect of the proposed CIL charge is presented on a similar basis.

Policy H9 Housing Mix (Soundness)

Paragraphs 153 and 154 *Specialist Accommodation for an ageing population* highlights the need to plan and provide for the housing needs of Purbeck’s ageing population. Paragraph 154 concludes:

Ensuring housing delivery responds to this demographic shift is key to the overall success of the Purbeck Local Plan.

However beyond a requirement for a proportion of housing in sites coming forward being provided for older people, there is no policy presumption in favour of, or encouragement for this form of development. Retirement Housing is generally delivered by small developments exclusively designed to meet the needs of older people. They may form part of a wider development but more often are delivered on centrally located urban brownfield sites of usually less than 0.5 hectares.

Additionally, whilst there is an acknowledged need to provide more housing specifically designed for older people, there are many barriers to its delivery. Good sites for such development are increasingly difficult to find and different economic and viability considerations apply to mainstream housing including generally higher acquisition costs, build costs, slower sales rates and the need to provide non saleable communal areas.

The National Planning Practice Guidance includes guidance for assessing housing need in the plan making process entitled ***“How should the needs for all types of housing be addressed?”*** (Paragraph: 021 Reference ID: 2a-021-20140306) and a separate subsection is provided for ***“Housing for older people”***. This stipulates that *“the need to provide housing for older people is critical given the projected increase in the number of households aged 65 and over accounts for over half of the new households (Department for Communities and Local Government Household Projections 2013). Plan makers will need to consider the size, location and quality of dwellings needed in the future for older people in order to allow them to move. This could free up houses that are under-occupied. The age profile of the population can be drawn from Census data. Projections of population and households by age group should also be used. The future need for older persons housing broken down by tenure and type (e.g. Sheltered, enhanced sheltered, extra care, registered care) should be assessed and can be obtained from a number of online tool kits provided by the sector. The assessment should set out the level of need for residential institutions (use class C2). But identifying the need for particular types of general housing, such as bungalows, is equally important”* (My emphasis).

There is therefore a need and growing requirement to include policies directly aimed at encouraging retirement housing. Policy H9 does not do this

Suggested Modification

We would advocate that the Council take a positive approach in seeking to provide appropriate accommodation to meet the needs of its ageing population. We would like to highlight the advice provide in the *Housing in Later Life: Planning Ahead for Specialist Housing for Older People toolkit*. This toolkit was developed by a consortium of private and public organisations with an interest in housing for the elderly and encourages a joined up approach to planning, housing and social care policy both in the collection of evidence and the development of specialist accommodation for the elderly. Whilst we appreciate that no one planning approach will be appropriate for all areas, an example policy is provided

“The Council will encourage the provision of specialist housing for older people across all tenures in sustainable locations.

The Council aims to ensure that older people are able to secure and sustain independence in a home appropriate to their circumstances and to actively encourage developers to build new homes to the ‘Lifetime Homes’ standard so that they can be readily adapted to meet the needs of those with disabilities and the elderly as well as assisting independent living at home.

The Council will, through the identification of sites, allowing for windfall developments, and / or granting of planning consents in sustainable locations, provide for the development of retirement accommodation, residential care homes, close care, Extra Care and assisted care housing and Continuing Care Retirement Communities.”

Policy 11 Affordable Housing (soundness)

Justification for affordable housing policy requirement

As stated in introduction, there is significant concern that the Evidence Base upon which the Policy is justified is flawed and misguided. A separate submission is made in this regard as attached to this Representation.

It is therefore strongly recommended that the All Plan Viability Assessment is reviewed and the outcome of that review be used to inform a revised approach of the Policy which properly reflects the different viability considerations applicable to retirement housing and the sites where it usually comes forward from.

Viability review at application stage

Also in this regard, the proposed policy requires:

Where an applicant considers there are significant economic viability constraints that would prevent the provision of affordable housing in accordance with the policy, they will be required to provide full justification of exceptional circumstances to the Council’s satisfaction. Where a viability assessment is required, it should refer back to the viability assessment that informed the plan, providing evidence of what has changed since then.

However, the All Plan Viability Review at least makes clear at Paragraph 3.2.32 that “ *The particular nature of a specialist housing scheme would be reviewed when considering any planning application*” thus acknowledging that the viability of such developments needs individual assessment on a site by site and development by development basis.

Provision of affordable housing on site

The Policy also provides that affordable housing is provided on site unless there are “*clear site specific constraints that would impact the economic viability of development*”. It is well established that affordable housing contributions arising from specialised housing for older people are generally delivered by way of an off site financial contribution given (a) the practicalities of mixing affordable housing into a single building scheme with extensive communal facilities and the need for those facilities to be paid for through a service charge (b) priority needs may be better met off site. The Policy as drafted refers to only “economic viability” considerations as pertinent in this regard. This needs to be rectified.

Suggested Modification

- 1. That the All Plan Viability Assessment is reviewed and the outcome of that review be used to inform a revised approach of the Policy that recognises the viability considerations of specialised housing for older people**

2. That in accordance with the Viability Review, the Policy includes reference to the fact that specialised housing for older people will usually be expected to be subject to a Viability review during the planning application process
3. That the Policy be amended to read

Affordable housing provision required as part of Purbeck Local Plan site allocations will be provided on site without exception. In any other circumstance, the payment of a commuted sum for delivery of affordable homes off-site, to a value equivalent to on-site provision, will only be agreed where there are clear site specific constraints that would impact the economic viability of development or where the proposal provides specialised housing for older people

Thank you for the opportunity to comment and we look forward to the Council's review of the Local Plan and the All Plan Viability Assessment and amendments to the Plan as suggested. Should these amendments not be made, the Consortium would ask to appear at the Examination



A J Child

The Planning Bureau on behalf of the Retirement Housing Consortium

Enc



3rd December 2018

By Email:

Dear Sir/Madam,

PURBECK LOCAL PLAN AND CIL VIABILITY EVIDENCE BASE

This is a joint representation made on behalf of Renaissance Retirement, Pegasus Life, McCarthy and Stone and Churchill Retirement Living (referred to in the representations as “The Consortium”).

We are a group of independent and competing housebuilders specialising in sheltered housing for the elderly. Together as a group, we are responsible for delivering circa 90% of England’s specialist owner occupied retirement housing.

These representations are made in respect of the viability evidence base supporting the draft policies in respect of affordable housing and in particular the proposed application of these policies against specialist housing proposals for older people. The viability evidence base is also intended to support the proposed CIL Charging Schedule as published for consultation in October 2018. The revised national policy framework and associated guidance advocates the use of a single plan wide viability exercise to robustly justify infrastructure and obligations sought from development.

The evidence base in respect of viability was prepared by the Dixon Searle Partnership (DSP) beginning in 2016 with a series of updates with the most recent dated October 2018. The groundwork for the exercise therefore predates the publication of the revised National Planning Policy Framework (NPPF) and viability guidance (NPPG) but reference is made to the new guidance in the October 2018 update.

We understand that the Local Plan test of soundness will be applied against the updated NPPF and the viability testing under the 2018 NPPG requirements. This is important as the 2018 NPPG requires an increased level of scrutiny of Local Plan viability testing if targets are to be robustly implemented by Local Planning Authorities (LPAs).

The revised approach advocates that Local Plan policy is underpinned by a robust Local Plan viability test which applies a typology approach to viability testing. The 2018 NPPG suggests that for most typologies the Local Plan evidence base should be sufficient to ensure that a viability exercise is not then required at the application stage.

We note that DSP suggest at 3.2.30 of their October 2018 update that:

DSP’s consistent assessment findings, are that housing-led development (including sheltered / retirement housing for independent living) should not be differentiated for in comparison with the approach to C3 dwellings in general. This forms part of the wide spectrum of market housing provision, within which there is inevitably great variety. These may or may not include an element of accommodation available for or supporting “assisted living” or similar, but in our view should be no less viable than market housing

where they are commercial developments offering apartments or similar for market sale as the primary driver. In those cases, the apartments would very often command premium level values as new-builds and they form part of the wide-ranging provision within the spectrum of market housing.

We believe that based upon experience of negotiating affordable housing contributions on sheltered proposals that there is significant evidence demonstrating that the viability of such housing differs materially from that of general needs housing. Furthermore, the NPPG 2018 is clear at paragraph 007 that viability testing should be differentiated for specialist housing for older people due to it differing from standard models of sale

The Purbeck viability evidence base fails to take this into account and therefore puts at risk the delivery of an identified housing need over the plan period. The projected population growth for Purbeck over the plan period highlights that the District's population aged over 65 is expected to grow by 30% compared with overall population growth of 5%¹.

This identified housing need is especially alarming considering the recent very low delivery of housing for older people with Purbeck. The Elderly Accommodation Counsel (EAC) database of stock for Purbeck shows just 2 recent completions (2016) for this housing type in Wareham (Renaissance) and Swanage (McCarthy and Stone). The database shows just 130 units of leasehold housing available and around 500 units of social rented accommodation.

This low base stock position and recent inactivity by providers demonstrates barriers to delivery in Purbeck which will require a step change in policy to incentivise delivery of this now pressing housing need in Purbeck.

The following notes therefore highlight where there is disagreement in relation to the methodology, inputs or outcomes of the evidence base supporting the viability of the Local Plan affordable housing targets. These comments relate solely to the viability of sheltered and extra care proposals.

For ease of reference, specific comments in respect of viability matters have been set out within the following table.

Input	Local Plan Evidence Base	Detailed Comments
Mix	<i>A 30-unit scheme (sheltered) has been tested. Although the mix suggests 15 1-beds and 6 2-bed units which is presumably an error. The methodology is unclear as to assumptions relating to gross to net.</i>	The scenarios tested are rigid and in relation to the sheltered proposal, certain providers will provide 30-35% 2 bed units rather than the 55-60% as modelled. We consider communal space of 25-30% more representative of a typical proposal in our experience.
Building Efficiency	As above	As Above
Sales Values	We note that the highest value point (V11) is used exclusively for testing which appears to be limit	There have been no very recent comparison developments in Purbeck to provide detailed analysis

¹ Draft Submission Local Plan Paragraph 154.

	development of this type to the highest achievable values in Swanage and nowhere else in Purbeck.	<p>but it is generally accepted that a small premium is achieved by providers for the retirement living lifestyle. However, pricing needs to be carefully balanced in line with the affordability of local homeowners due to the inability of purchasers to secure mortgages given the nature of the purchaser.</p> <p>We note that the Renaissance scheme in Wareham which completed in 2016 is still selling with prices from £190,000 to £260,000.</p> <p>The McCarthy and Stone Ortus Homes scheme in Swanage which is one of the higher end products offered by McCarthy and Stone appears to be used as the justification for this type of housing to be tested at the maximum value level.</p>
Ground Rents	Unclear.	Note should also be made of the Government intention to cap the charging of ground rents on new leasehold developments at a peppercorn rent. The value applied to the testing may therefore be over optimistic in terms of income in this sector and artificially improved the viability of such proposals for plan making purposes.
Acquisition Costs		<p>Variable rates as per April 2016 changes.</p> <p>1.5% typical for legal fees.</p>
Base Build Costs	We support the use of BCIS rates in the appraisal as a transparent and easily available comparable source of base build cost information.	Reference should also be made to the BCIS study <i>Housing development: the economics of small sites – the effect of project size on the cost of housing construction</i> (August 2015). This publication states that care needs to be applied to small samples (less than 20) in the BCIS and that where possible, sample sizes of more than this should be used. This is important for Supported Housing proposals in the BCIS sample which often can be less than 20.

		In such scenarios our view is that the Median Generally sample produces the highest number of sample and most accurate sample and should be used.
External Build Costs	In relation to external cost allowances , 10% of base build cost has been allowed for residential proposals.	This is broadly acceptable but it should be noted that certain proposals require higher proportions due to the quality of external finish required.
Abnormal Costs	Unclear.	It should be noted that some difficult brownfield sites will incur high abnormal costs given their existing uses. This needs to be factored in on a site by site basis.
Professional Fees	10% is allowed for professional fees	Agreed.
Contingency	5% contingency .	Agreed.
CIL/S106	As tested.	This needs to be carefully balanced in line with thorough testing of specific inputs for this typology.
Marketing/Disposal	3% GDV.	<p>In our experience and given the evidenced slower sales patterns and restricted occupancy conditions as well as nature of purchaser, an allowance of 5-6% of GDV is more realistic.</p> <p>This is a niche, age restricted market with dedicated sales teams on site for the duration of the sales period which can extend to several years as already detailed. Often on site sales suites consist of a dedicated 1 and 2-bedroom apartment which is fitted out for the duration of the sales period. Marketing involves national, regional and local press adverts throughout the duration of the sales period.</p> <p>Given the characteristics of typical purchasers, the decision to leave the family home is a wider family decision and purchasers often visit new lodges on numerous occasions</p>

		<p>prior to deciding to purchase. Assistance from sales teams can include advice on the sale of the existing home as well as options which might include part exchange etc. The entire process can be very labour and administratively expensive in comparison with the open market.</p> <p>Marketing and sales activities often involved regular open day and other events to attract purchasers over the sales period with just a handful of apartments often remaining unsold, marketing and sales teams must be on site often a number of years following sales release.</p>
Finance	6.5%	Agreed.
Empty Property Costs/Void Allowances	Not factored in.	<p>In relation to voids the study appears to ignore void costs associated with sheltered and extra care proposals which can amount to £150,000 to £250,000 on certain schemes which can take several years to sell entirely. During this time the empty properties must be paid for by the developer including service charge, council tax and other maintenance charges.</p> <p>Phasing and timetable/sales patterns also appear to reflect general market averages whereas in fact the sales curve for sheltered and extra care proposals is very different. In the South West Region, Churchill for instance sell an average of 1.3 units per month.</p>
Profit/Margin/Return for Risk	This appears to be allowed at 20% GDV.	Developer Return at 20% GDV is considered the absolute minimum requirement for proposals including sheltered and extra care given their exposure to the market brought about by a very slow payback period.
Benchmark/Threshold Land Value	It would appear that the typical benchmark tested is brownfield commercial.	In our view it is not appropriate to rely upon an industrial benchmark land value for this type of housing

		<p>due to the unique nature of the product and typical sites progressed by the main providers.</p> <p>Typically, these types of housing schemes source land through the assembly of existing residential properties given the competition for previous commercial sites from all other residential developers as well as non-residential uses.</p> <p>This level of benchmark does not appear to be reflected within the sheltered testing scenarios.</p> <p>Specialist housing proposals for older people must therefore be tested against more likely source site benchmarks.</p>
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We are of the opinion that the testing undertaken has not fairly reflected the typical costs associated with the development of specialist housing for older people. Furthermore, it would appear that the values tested have simply used the maximum levels tested which would preclude development in the majority of the district.

In order to demonstrate this, we have produced a typical appraisal using the 2016 study costs and values but adapting the values to V7 in the study which are the top end of the Wareham values. This appraisal assumes the lowest level of affordable housing tested (30%) and no CIL. This results in a residual land value of just £216,000. On a 0.3-hectare site this will preclude this typology from 4 out of the 7 benchmarks tested. In our view, even without a CIL charge being imposed in the appraisal, the viability of such proposals is so constrained it would preclude existing residential sites being acquired which as set out above, form a high percentage of typical sheltered proposal sites.

In summary we believe that upon detailed review, the viability evidence base underpinning the draft proposed policy in respect of affordable housing and specialist housing for older people is likely to severely restrict the supply of this important housing typology within the Local Plan area. We would be happy to input further to the preparation of a workable policy.

Thank you for the opportunity to comment.

Purbeck Test - 30 units @ 30% AH (V7 Values)

APPRAISAL SUMMARY**CONSORTIUM TESTING**

Purbeck Test - 30 units @ 30% AH (V7 Values)

Summary Appraisal for Merged Phases 1 2

Currency in £

REVENUE

Sales Valuation	Units	m ²	Rate m ²	Unit Price	Gross Sales
Market floor area	1	1,275.00	3,950.00	5,036,250	5,036,250
Affordable Floor Area	<u>1</u>	<u>637.50</u>	1,975.00	1,259,063	<u>1,259,063</u>
Totals	2	1,912.50			6,295,313

Rental Area Summary

	Units	Initial MRV/Unit	Net Rent at Sale	Initial MRV
Ground Rents	30	400	12,000	12,000
Totals	30		12,000	12,000

Investment Valuation

Ground Rents					
Current Rent	12,000	YP @	5.0000%	20.0000	240,000
					240,000

GROSS DEVELOPMENT VALUE**6,535,313**

Purchaser's Costs	11,520	11,520
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NET DEVELOPMENT VALUE**6,523,793**

Income from Tenants	16,000
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NET REALISATION**6,539,793****OUTLAY****ACQUISITION COSTS**

Residualised Price	380,418
Residualised Price (Negative land)	163,558
	216,860
Stamp Duty	8,521
Agent Fee	1.00% 3,804
Legal Fee	0.75% 2,853
	15,178

CONSTRUCTION COSTS

Construction	m ²	Rate m ²	Cost
Market floor area	1,722.97 m ²	1,220.00 pm ²	2,102,027
Affordable Floor Area	<u>861.49 m²</u>	1,220.00 pm ²	<u>1,051,014</u>
Totals	2,584.46 m²		3,153,041

Developers Contingency	5.00%	173,417
Extra Overs		190,000
Samm/SANG	30.00 un 1,255.00 /un	37,650
Other S106	30.00 un 3,000.00 /un	90,000
		491,067

Other Construction

Externals	10.00%	210,203
Empty Property Costs		105,000
Site Prep and Survey Costs	30.00 un 4,500.00 /un	135,000
Externals	10.00%	105,101
		555,304

PROFESSIONAL FEES

Architect	10.00%	346,834
		346,834

MARKETING & LETTING

Marketing	3.50%	176,269
		176,269

DISPOSAL FEES

Sales Agent Fee	2.00%	100,725
Sales Legal Fee	2.00 un 750.00 /un	1,500
		102,225

FINANCE

Debit Rate 6.500%, Credit Rate 2.750% (Nominal)

APPRAISAL SUMMARY**CONSORTIUM TESTING****Purbeck Test - 30 units @ 30% AH (V7 Values)**

Total Finance Cost	345,992
TOTAL COSTS	5,402,771
PROFIT	1,137,022

Performance Measures

Profit on Cost%	21.05%
Profit on GDV%	17.40%
Profit on NDV%	17.43%
Development Yield% (on Rent)	0.22%
IRR	20.71%
Profit Erosion (finance rate 6.500%)	2 yrs 12 mths

Comment

Consultee	Mrs June Richards (1190108)
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Event Name	Purbeck Local Plan Pre-submission Draft
Comment by	Mrs June Richards (1190108)
Comment ID	PLPP66
Response Date	28/11/18 14:37
Consultation Point	Policies List (View)
Status	Processed
Submission Type	Web
Version	0.1
Are you responding on behalf of a group?	No
Please tick the box(es) if you would like to be notified at an address/email address of the following:	
Which policy / paragraph number / policies map does your comment relate to?	ALL
Do you consider that the Local Plan is legally compliant?	Yes
Do you consider that the Local Plan is sound?	Yes
Do you consider that the Local Plan complies with the duty to co-operate?	Yes

Comment

Consultee	Ms Wendy Riddle (1188362)
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] [REDACTED]
Event Name	Purbeck Local Plan Pre-submission Draft
Comment by	Ms Wendy Riddle (1188362)
Comment ID	PLPP541
Response Date	03/12/18 20:15
Consultation Point	Policies List (View)
Status	Processed
Submission Type	Web
Version	0.1

Are you responding on behalf of a group? No

Please tick the box(es) if you would like to be notified at an address/email address of the following:

Which policy / paragraph number / policies map does your comment relate to? E10

Do you consider that the Local Plan is legally compliant? No

Do you consider that the Local Plan is sound? No

Do you consider that the Local Plan complies with the duty to co-operate? No

Please give details of why you consider this part of the Local Plan is / is not legally compliant, sound or fails to comply with the duty to co-operate. (Please be as precise as possible)

Policies E10 and consequentially E9

Proposed development in Wool UNSOUND as it contravenes the statements in Policy E10 a), b), c), because it will certainly damage and likely destroy biodiversity within and abutting the Parish of Wool and ultimately Poole harbour policy E9. Evidence below:

Description of the diverse habitats surrounding the parish of Wool (not addressed in Purbeck Local Plan draft)

Within the envelope of Wool, Bovington and East Burton, ie the parish of Wool, a variety of habitats are present: (i) water meadows of the R Frome which are under the Countryside Stewardship scheme and support organic sheep farming, (ii) The R Frome itself a SSSI and the southernmost chalk stream (English Nature date) with its estuary in Poole Harbour, (iii) Organically farmed agricultural land supporting either sheep or mixed, multi species tall flower/grass/cereal winter fodder. (iv) At least 4 discrete mixed woodlands supporting mature trees, (v) Mature trees including oaks and ancient hedgerows bordering lanes through the parish (vi) heathland within the RAC land at Bovington supporting nightjars and Dartford warblers (vii) large country gardens around older properties. That this variety of habitats is only 4 miles from the coast allows it provides a haven for both resident wildlife and a resting place for migratory species eg cuckoo, swallow, painted lady butterfly and hummingbird hawk moth.

Specific areas/species under threat if PLP draft is upheld. Evidence.

(iv) The SANG offered in lieu of other loss of biodiversity and open space is one of the above cited **mixed woodlands (High Wood/North Wood)**. Converting this to a country park and encouraging visitors to roam, as opposed to the current restricted access along the Purbeck Way public footpath or the re-routed bridle way, both heading toward Winfrith Newberg, will seriously damage this ecosystem such as the ground flora including yellow archangel *Lamiastrum galeobdolon* that indicates ancient woodland status, and shy birds and mammals. **The PLP draft is therefore unsound as it fails to meet policy E10.**

The **organic farmland and water meadows** (no agrichemicals used) (i) & (iii) generate a good supply of insects as the sheep faeces neither contain antibiotics nor pesticides. These insects together with those whose larval forms develop in the R Frome and system of ditches feed a great variety of birds: communities associated with the reeds and river bank; garden birds and a colony of house martins (amber listed). EVERY green field site in the proposed plan for 470 homes plus 64 bed care home in Wool is one of the afore mentioned organically farmed fields. If the proposed development goes ahead, the supply of insect food will be severely reduced, and birds from the house martin colony will have to fly to the R. Frome for food, competing with the resident birds there. It is highly likely that both populations will struggle and that the house martins will fail to breed successfully adding to their countryside decline. House martin data recorded with BTO, survey 2017. **The PLP draft is therefore unsound as it fails to meet policy E10.**

(vii) Garden wildlife data (all major phyla) has been gathered and recorded over the past ten years, at a property abutting the north eastern corner of the organic greenfield site, proposed to contain 90 houses in PLP draft plan for Wool H5. Other data have been gathered locations close to this garden in response to citizen science countryside studies. These data are lodged with the BTO, and DERC. In addition, a member of this household is a BTO ringer and trainer allowing accurate identification, species, age, sex, condition of birds. An analysis over these years indicates that, contrary to the alarming reduction in numbers in the UK of greenfinch (currently green listed, but about to be changed to red listed), and bullfinch (currently red listed), numbers of these 2 species are on the increase at this location. This is a powerful endorsement of the healthy organic environment and the value to biodiversity of Wool and its varied environs. If the proposed development of Wool goes ahead H5, any change in the bird populations, particularly these vulnerable species will be identifiable in the data reported to the BTO.

The garden has been placed several times in Dorset Wildlife Trust's competition for "gardening for wildlife". The visiting wildlife e.g. hedgehogs, grass snakes, pollinators, etc, can access the garden from the field proposed to contain 90 houses in policy H5. There is a wildlife pond close to the boundary hedge containing breeding colonies of all 3 species of native newts i.e. including great crested newts, which will forage in their terrestrial phase in that field. If the proposed development goes ahead mitigation will need to be provided for these and other vulnerable species. Data on frequency of these garden visitors will continue to be reported.

Summary The lack of appropriate fieldwork and survey of the organic greenfield sites prior to proposal of housing in Wool outlined in H5 puts policy H5 in conflict with the stated aims in policy E10 a), b), c). If E10 is upheld, then H5 is UNSOUND

The River Frome (i) has SSSI status due to it being the most southern “chalk stream” and its population of Sea Trout and salmon and river lampreys. The River Lab at East Stoke (Freshwater Biological Association and game and Wildlife Conservation Trust) for the last 38 years has monitored the R Frome. In recent years, the R Frome has had problems of silting of the beds (the gravel beds where returning salmon spawn) preventing adequate oxygen reaching the developing fry. This is caused by ploughing and winter run off from intensive maize farming upstream to Wool and has caused population decline. Similarly, pollution (nitrates and phosphates and endocrine chemicals e.g. human fertility hormones from sewage and intensive agriculture have been identified as influencing relatively low fish stocks. Recent counts of around 800 salmon are very few compared with the end of the nineteenth century. Additional negative factors for the salmon include a rise in the sea temperature of the N Atlantic causing the salmon’s food source to move north to the west coast of Greenland.

Surveys by the Environment Agency in 2004, 2010 and The Wild Trout Trust 2014 indicate that the water quality of the R Frome is poor and not improving. High concentrations of nitrate and phosphate ions which pollutants have the potential to cause algal blooms reducing oxygen concentration and cause further destruction of the river ecosystem. The effluent from Wool sewerage station persistently contains these ions and discharges into the R Frome. In addition, the storm drain overflow from Wool also discharges onto the water meadows and into the R Frome. **Failure to acknowledge and act upon the current levels of these pollutants not only affects the R Frome SSSI in Wool (contrary to Policy E10 a), c) but washes down to Poole harbour with its numerous important designations, contrary to the aims of Policy E9. Additional house building in Wool will increase the volume and concentration of these pollutants entering the Frome and potentially could tip the ecosystem into a serious condition. The PLP draft is therefore unsound as it fails to meet policies E10 and E9.**

(Additional references: The State of England’s Chalk Rivers. Environment Agency 2004.

Sanctuary 34, 2005;

Sanctuary 42, 2013

River Frome, Bovington Dorset. The Wild Trout Trust 2014

Rehabilitating the River Frome SSSI Technical Report The Environment Agency 2010

Having regard to your previous comments, please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound. You will need to say why this change will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording for any policy or text and where appropriate provide evidence necessary to support / justify the representation. (Please be as precise as possible)

Axe the policy to put houses or other constructions on the identified organic greenfields. The SANG will not be required. Biodiversity in Wool will thrive and further degradation of Poole Harbour can be avoided.

(Please note that the Planning Inspector will make the final decision on who will be invited to attend individual sessions at the examination, although all members of the public may observe the proceedings)

Only those who have made representations to the Local Plan during the statutory six week pre-submission publication period will be allowed to participate in the public examination.

If your representation is seeking a change to the Local Plan, do you consider it necessary to participate in the oral part of the examination? No

Comment

Consultee	Ms Wendy Riddle (1188362)
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] [REDACTED]
Event Name	Purbeck Local Plan Pre-submission Draft
Comment by	Ms Wendy Riddle (1188362)
Comment ID	PLPP542
Response Date	03/12/18 20:16
Consultation Point	Policies List (View)
Status	Processed
Submission Type	Web
Version	0.1

Are you responding on behalf of a group? No

Please tick the box(es) if you would like to be notified at an address/email address of the following:

Which policy / paragraph number / policies map does your comment relate to? E4, E5

Do you consider that the Local Plan is legally compliant? No

Do you consider that the Local Plan is sound? No

Do you consider that the Local Plan complies with the duty to co-operate? No

Please give details of why you consider this part of the Local Plan is / is not legally compliant, sound or fails to comply with the duty to co-operate. (Please be as precise as possible)

Policy E4 Assessing flood risk & E5 Sustainable Drainage Systems

Policy E4 Assessing flood risk & E5 Sustainable Drainage Systems

The selected locations for 470 homes plus 65 bed care home in Wool outlined in PLP draft are unfit for SuDs as defined in policy E5, and flood risk has been ignored E4, rendering the plan unsound.

Description.

The organic fields to the south and north of the A352 (identified by PLP draft as the site for development of 470 plus dwellings) have a gentle gradient, sloping to the north or northeast, towards the water meadows and the R Frome where the water table is necessarily high. At present the soil, uncompacted by heavy machinery, can absorb water. This together with transpiration from permanent pasture, hedges and standard trees prevents run-off in the direction of the A352 firstly and then the water meadows and low-lying properties in Wool and East Burton. **The proposed location for 470 plus homes contravenes the guidance in E4 and E5 part j.**

Evidence

Despite my raising the issue of the function of these fields in absorbing water at PDC's planning meeting, PDC in 2008/9 allowed a development of some 190 homes (Purbeck Gate) on the field north of the A352 and adjacent to the current proposed housing site. SuDs were eventually installed. But the following surface water flooding events occurred.

- 1 In order to be able to construct foundations for the buildings in the winters of 2008 /9 a trench was dug to receive and hold the ground water. It was parallel to and abutting Giddy Green footpath, running the whole length of the site, approximately 6-8ft deep, 8-10ft wide which filled with water. Photograph attached. However, at times this huge reservoir of water threatened to spill over, therefore the construction site operatives pumped the excess across the Giddy Green footpath, into the field immediately to the north.
- 2 Subsequently, the residents of Purbeck Gate (which has very little land not concreted over), despite the SuDs, have reported surface water flooding problems at intervals since 2009, and a dangerous deep mud quagmire in the grassed children's play area, that needed to be cordoned off, as recently as 2017. After construction was complete and new residents had moved in, further flooding caused householders to pump water from the footings of their properties into the surface drainage system of Frome Avenue See Wool Parish Council Minutes 2009 to date.
- 3 The storm drains also add to the load (discussed previously) discharging via the overflow onto the water meadows and thence the R Frome SSSI.
- 4 Fields to the south of the A352 west of Burton Cross roundabout when devoid of vegetation in winter regularly cause flooding of the A352 due to run-off from saturated substrate. This is a site with comparable topography and soil to the fields proposed to accommodate 320 homes plus 65 bed care home with SuDs. Further flooding of the A352 and the possibility of flood waters running into Purbeck Gate or down Baileys Drove can be expected.

Clearly policy E5 requiring the use of SuDs in this location totally ignores the evidence from the previous far smaller Purbeck Gate development. Due to the high water table and topography, the proposed development site of 470 plus dwellings with SuDs is ill-conceived, and PLP draft unsound. Furthermore, no consideration has been given to the possible raised water table due to climate change.

A further drainage problem on the site for the proposed 470 homes plus 65 bed care home and illustrates the PLP draft disregarding existing flooding issues (Policy E4).

Description

The South Western Railway runs parallel to and south of the R. Frome/water meadows through Wool on a small embankment, north of the East Burton Rd, thus forming a barrier to any surface drainage reaching the R Frome from the fields identified in PLP draft as the location for 470 plus dwellings.

There is a man-made drain starting at the roundabout (Burton Cross) to remove surface water from the road constructed by "Highways" in the 1960s, passing northeast through the adjacent field, crossing under Giddy Green footpath (and over when in spate), traversing northwards through an underground pipe with an inspection chamber in the middle of its length, running parallel to the public footpath through the field abutting Frome Ave. The drain then continues through a 12 inch drain under the railway at Darkies Crossing (responsibility of Rail Track/Network Rail), emerging into an open ditch at the side of the footpath on "unclaimed land" and lastly passing under the road onto the water meadows. The drain route cuts through the area expected to accommodate 90 houses according to PLP draft.

Evidence

In the winter of 2000-2001 a less severe flood occurred caused by failings in the above system affecting our garden only.

However in the winter of 2012-2013 a more serious event happened due to years of lack of maintenance and divided responsibilities, this system was blocked at Darkies Crossing causing water to flood out of the inspection chamber in the centre of the field pooling there, and finally run north eastwards towards the houses at the north end of Frome Ave, Baileys Drove and to the nearest house across the Baileys Drove foot crossing. (Video available of the inspection chamber and flooding water, but IT skills not adequate to upload it here. Photograph available). Our property was flooded four times in winter 2012-2013 resulting in loss of power as the footings were flooded. This caused the medical equipment and central heating to fail and the property to become very damp. My Mother who was terminally ill, bedridden and living with us, deteriorated and died on 12/04/13. A further 3 properties were affected but less severely, including one across the Baileys Drove pedestrian rail crossing on East Burton Rd indicating that the flood had encroached on the railway at that point. Nearly all the properties at the northern end of Frome Avenue and Baileys Drove are single storey and many of their occupants are elderly and infirm either mentally or physically.

None of the land owners/bodies responsible for the structure would take responsibility despite several on-site meetings including DCC, the Environment Agency, Network Rail. The tenant farmer on the field took the initiative and cleared obstructions where he could, extending beyond land where his business was affected. At some point in that summer Network Rail did some work on the section under the railway lines. Since that winter, this drainage system has worked without problems, but no further maintenance has been observed.

Summary: Clearly the necessary drain to ensure the A352 at Burton Cross roundabout is safe for traffic and free from flooding is a safety matter. But its route through the proposed development, the reduced absorbency of the surrounding areas previously discussed, and the responsibility issue unresolved, flooding of both neighbouring existing properties and some of the 90 suggested for that field is inevitable.

The PLP draft plan is therefore unsound as issues of drainage and flooding as specified in policy E4 e), d), and c) have not been addressed and E4 g) "safe escape routes" completely inappropriate and impossible for those most affected. No consideration has been afforded to climate change and possible rising sea level and water table.

Having regard to your previous comments, please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound. You will need to say why this change will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording for any policy or text and where appropriate provide evidence necessary to support / justify the representation. (Please be as precise as possible)

Possible solution

If the fields currently planned to receive 90 houses instead were designed and engineered to be a flood defence and recreation /park space, following the design of Sutcliffe Park by David Bellamy for Royal Borough of Greenwich (which retains the R Quaggy flood waters), annual flood waters could be retained in a constructed, sluiced, excavated alder/willow bog in winter which dries out due to transpiration in summer months with a continual controlled outflow to the water meadows. A recreation area around the flood retention zone and through the zone in summer can be developed. With appropriate organic strategies and mitigation strategies this would further enhance but alter the biodiversity of Wool. To find out whether this area would be large enough and full details contact RBG 0208 8548888.

(Please note that the Planning Inspector will make the final decision on who will be invited to attend individual sessions at the examination, although all members of the public may observe the proceedings)

Only those who have made representations to the Local Plan during the statutory six week pre-submission publication period will be allowed to participate in the public examination.

If your representation is seeking a change to the Local Plan, do you consider it necessary to participate in the oral part of the examination? No

Comment

Consultee	Ms Wendy Riddle (1188362)
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] [REDACTED]
Event Name	Purbeck Local Plan Pre-submission Draft
Comment by	Ms Wendy Riddle (1188362)
Comment ID	PLPP543
Response Date	03/12/18 20:17
Consultation Point	Policies List (View)
Status	Processed
Submission Type	Web
Version	0.1

Please tick the box(es) if you would like to be notified at an address/email address of the following:

Which policy / paragraph number / policies map does your comment relate to?	<input type="checkbox"/> I
Do you consider that the Local Plan is legally compliant?	<input type="checkbox"/> No
Do you consider that the Local Plan is sound?	<input type="checkbox"/> No
Do you consider that the Local Plan complies with the duty to co-operate?	<input type="checkbox"/> No

Please give details of why you consider this part of the Local Plan is / is not legally compliant, sound or fails to comply with the duty to co-operate. (Please be as precise as possible)

Infrastructure

The PLP draft completely overlooks the need for and provision of a robust sewerage system adequate in size and function to cope with the increase in foul drainage generated by 2688 new homes in Purbeck and increase in polluted surface drainage from the additional vehicles (perhaps 2 per home) and roads/ pavements/ hard surfaced areas. Sewerage needs consideration

and appropriate planning under Environment, Infrastructure and Housing. Its total absence renders PLP draft UNSOUND.

I have commented on sewage pollution already under the Environment. The following comments focus on the infrastructure necessary to process sewage from existing properties in Wool and the additional load from the proposed 470 plus 65 bed care homes H5. It would be more cohesive if these aspects could have been presented as one, but the constrained format of the submission prohibits it.

Description 1. Wool Sewage Station

Wool sewage station has only two percolating filters to currently process sewage from the area including Wool, Bovington, East Burton, and Lulworth. It is located on the Moreton Road to the far West of Wool and up the gradient. The volume of sewage to be processed has steadily increased, particularly since 2000. During this period, it was deemed unsuitable for Lulworth to continue discharging sewage into the sea and that it would be instead pumped (over the Purbeck Hills, not a sustainable process) to Wool sewage station for processing. In addition to the expected slow expansion of these settlements, the Purbeck Gate was built onto the western edge of Wool village adding around 200 extra dwellings.

The boundaries of Wool sewage station are formed by Moreton Rd to the south, the SSSI to the east, north and part of the west. The remainder of the western border has been cleared to restore heathland, rendering expansion of the sewage processing facilities unlikely. As processing sewage is a biological system, once full capacity is reached, additional sewage will pass through unprocessed. The volume and concentration of sewage that can be processed is mainly dependent upon the surface area of the material in the filters providing the microorganisms anchorage, the inverse relationship between temperature and aeration, and the flow rate.

Evidence of overloading of Wool Sewerage System

At present this facility in Wool is allowing both nitrate and phosphate ions to remain in the effluent discharged into the R Frome resulting in degradation of this SSSI. **(See comments on Environment)**

Description 2. The existing Sewer system

The developers of Purbeck Gate were permitted to join the main foul sewer from these 200 dwellings onto the existing sewer serving Frome Ave running in a north easterly direction. This pipe then joins another sewer serving Baileys Drove travelling north, passes under the South Western railway line then turns west towards the pumping station in East Burton (again not meeting sustainable aims) to be pumped up a gradient to the sewage station.

Evidence of overloading of the Wool sewers

There had been an intermittent problem of blockages at the northern end of Frome Ave and Baileys Drove where sewers join, then pass under the railway and bend to proceed west towards Wool pumping station. These have increased in frequency with the additional load from Purbeck Gate. When a blockage occurs, sewage spills out onto both the road and private properties from inspection chambers; toilets cannot be flushed and fill with sewage; water in e.g. the sink will not drain away. Wessex Water when summoned respond promptly and clear the blockage identifying items such as so-called disposable nappies, wet-wipes etc. as the main cause. Wessex Water then clean the whole area by spraying disinfectant where the sewage spread to reduce the health risk. From 6 to 8 properties are affected when this happens, identified by DCC surveyors on in early Spring 2018 as "the lowest part of the village". Over recent years to prevent these blockages Wessex Water have instituted a regular 6 monthly clearance/maintenance procedure at this location. Despite this, in August 2018 the blockage occurred again. Video evidence available. Clearly the sewerage infrastructure at this point in Wool is at capacity and a potential health risk. The spills are merely a few metres from the water meadows. Should the system be further strained/over-loaded there is a risk of pollution of the SSSI and ultimately Poole harbour.

Evidence of the weakened condition of the sewers

The sewerage pipe for Bovington passes over the R Frome to discharge at Wool Sewage station. Recently this pipe burst where it crossed the R Frome polluting the R Frome with raw sewage. This potentially disastrous incident was rapidly addressed by Wessex Water who both fixed the burst and added a second pipe at that point to ease the flow and hopefully prevent any repeat problem in the future.

Therefore, I find PLP draft UNSOUND as there is NO planning/mitigation /consideration of the sewage and sewerage issues in the policies on Infrastructure I or Environment E or Housing in Wool H5

Having regard to your previous comments, please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound. You will need to say why this change will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording for any policy or text and where appropriate provide evidence necessary to support / justify the representation. (Please be as precise as possible)

Solution and summary.

The existing sewage station and system of sewers is old, and those sewers close to the proposed development at the western edge of Wool are already overloaded and pose a risk of pollution of the R Frome, endangering human health and damage to properties. If 470 more houses are to be built **another sewage station will be needed**, to process their sewage. This load cannot be added to the existing system. A new sewage station should be: downstream of the proposed development, ie towards Wareham; using gravity rather than an unsustainable pumping station to direct the flow; and take the redirected sewage from Purbeck Gate and Lulworth (relieving the overloaded existing system). Each of these recent and future sources of sewage are ultimately the responsibility of Lulworth Estate and developers past and future and PDC's supervision. Wessex Water and ultimately their customers cannot be expected to fund the new facilities alone.

If in addition the effluent from both the existing station and the new station are directed through a series of sluiced reed beds (*Phragmites* and *Glyceria*) before entering the R Frome, this would remove the remaining ions, reduce this aspect of pollution of the R Frome, further enhance the wildlife along the R Frome and generate a crop for thatching.

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If your representation is seeking a change to the Local Plan, do you consider it necessary to participate in the oral part of the examination? No

Comment

Consultee Ms Wendy Riddle (1188362)
Email Address [REDACTED]
Address [REDACTED]
Event Name Purbeck Local Plan Pre-submission Draft
Comment by Ms Wendy Riddle (1188362)
Comment ID PLPP544
Response Date 03/12/18 20:17
Consultation Point Policies List ([View](#))
Status Processed
Submission Type Web
Version 0.1

Are you responding on behalf of a group? No

Please tick the box(es) if you would like to be notified at an address/email address of the following:

Which policy / paragraph number / policies map does your comment relate to? EE, 39, 206,

Do you consider that the Local Plan is legally compliant? No

Do you consider that the Local Plan is sound? No

Do you consider that the Local Plan complies with the duty to co-operate? No

Please give details of why you consider this part of the Local Plan is / is not legally compliant, sound or fails to comply with the duty to co-operate. (Please be as precise as possible)

Economy

P 19 paragraph 39 Objectives

“Promote a prosperous and diverse local economy”

- 1 Paragraph 206 states 1500 new jobs will be created at Dorset Innovation Park over the period of the PLP draft plan, i.e. until 2034 and this is used to justify the 470 houses proposed to be built in Wool. In conversation with the site manager from Bournemouth University, at a presentation of the plans for Dorset Innovation Park it was stated that the "high tech" companies that they hope to attract are likely to need only low numbers e.g. 2 members of staff only, who will be already part of the company. Therefore the "1500 new jobs" is **deliberately misleading**. Since 2000 Dorset Innovation Park is the third attempt to turn this part of the original UKAEA area into a thriving business park. Previous attempts have failed. There is no sound argument to suggest that this one will fare any better.
- 2 Government regulations state "2 years for land intended for ruminant grazing and annual crops" is needed without agrichemicals or intensively reared stock in order to achieve organic status. The tenant farmer whose organic farming business has resided in Wool for generations, uses each of the organic greenfield sites selected in PLP draft for 470 houses plus 65 bed care home, and if forced to move, will be unable to trade for 2 years and may have to dispose of his carefully bred stock. This contravenes the stated aim "Promote a prosperous and diverse local economy" paragraph 39, and the tenant farmer must be appropriately compensated.
- 3 The plans and progress towards "Dorset National Park" have not been mentioned let alone considered in PLP draft. The villages of Wool H5 and Moreton H4 proposed to be subject to 470 and 490 new homes respectively are included in the planned National Park natural area, unlike Wareham and Swanage. The effect of the over-sized housing projects on the local biodiversity, integrity of the communities, let alone the eyesore of a continuous building site until 2034, could result in exclusion of these villages from the National Park and therefore loss of financial support and tourist trade. This does not meet the stated aim to "Promote a prosperous and diverse local economy" para 39, indeed it would work actively against that aim.

Summary

I find PLP draft Economy policies blinkered in its perspective focussing on retail trade as internet shopping is the strategy for young persons with cash to spare. At the same the PLP draft ignores and proposes to destroy other more worthwhile, sustainable and ethical economic opportunities. That Dorset Innovation Park might provide 1500 jobs for existing residents is misleading. The Economy policies are UNSOUND.

Having regard to your previous comments, please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound. You will need to say why this change will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording for any policy or text and where appropriate provide evidence necessary to support / justify the representation. (Please be as precise as possible)

Rewrite this policy with realistic statements and local evidence.

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If your representation is seeking a change to the Local Plan, do you consider it necessary to participate in the oral part of the examination? No

Comment

Consultee	Ms Wendy Riddle (1188362)
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] [REDACTED]
Event Name	Purbeck Local Plan Pre-submission Draft
Comment by	Ms Wendy Riddle (1188362)
Comment ID	PLPP545
Response Date	03/12/18 20:18
Consultation Point	Policies List (View)
Status	Processed
Submission Type	Web
Version	0.1

Are you responding on behalf of a group? No

Please tick the box(es) if you would like to be notified at an address/email address of the following:

Which policy / paragraph number / policies map does your comment relate to? 2, 8, IM

Do you consider that the Local Plan is legally compliant? No

Do you consider that the Local Plan is sound? No

Do you consider that the Local Plan complies with the duty to co-operate? No

Please give details of why you consider this part of the Local Plan is / is not legally compliant, sound or fails to comply with the duty to co-operate. (Please be as precise as possible)

Duty to co-operate

Public consultation processes

PDC have not been open and transparent and inclusive in their public consultation processes.

- 1 Consultation "New Homes for Purbeck" was paper-based and more inclusive. However, the "results" were only presented in a truncated form, resulting from several levels of data manipulation and analysis....a process known as data-mining. For PDC to be fair, open and transparent, **FIRSTLY** the basic counts, percentages, and total number of responses for each of the 22 questions, for both the whole of Purbeck and then the same information for the sub communities eg AONB residents, Wool residents should have been presented. **SECONDLY** the rationale for the next stages in the data manipulation needed to be made explicit and the results presented. **THIRDLY** Any coding instructions should be revealed. Without such transparency available for all residents the process and results are suspect.
- 2 The present IT- based, constrained- format consultation (PLP draft) is discriminatory and disenfranchising particularly to those long-term residents who have contributed to PDCs rates/council tax over the decades. Not providing for easily obtainable paper-based response forms or free style responses for a mixed age community with varying levels of education deliberately excludes the majority of the population. The single copy of the 130-page document provided in Wool community-run library, over the 6 week consultation period would have allowed each household in Wool parish 1.5mins reading time! How can the population make informed comments if they have no access to hours on a computer?
- 3 What is **OMITTED** in the current consultation (Chapter 7 Implementation and Monitoring) is that, although monitoring procedures are specified, if a development fails or refuses to meet PDCs requirements/policies, what will the council's actions be? On ringing Steve Boyd PDC on this point on Fri 01.12.18 at around 09.00, I was told "All planning law is discretionary", i.e. they are highly unlikely to insist on their aims and policies being carried through by the developers. **This has been deliberately hidden from the public and represents a betrayal of their duties to the public.**

I find the PDC consultation process inadequate and deliberately misleading, representing a clear case of failure to co-operate with the council tax paying public.

Having regard to your previous comments, please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound. You will need to say why this change will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording for any policy or text and where appropriate provide evidence necessary to support / justify the representation. (Please be as precise as possible)

This consultation process is a smokescreen. The weaknesses in both this and the previous consultation are beyond patching. Clearly the developers have the ace hand.

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If your representation is seeking a change to the Local Plan, do you consider it necessary to participate in the oral part of the examination? No

Comment

Consultee	Mr P J H Roberts (1191038)
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Event Name	Purbeck Local Plan Pre-submission Draft
Comment by	Mr P J H Roberts (1191038)
Comment ID	PLPP579
Response Date	03/12/18 15:37
Consultation Point	Policy H8: Small sites next to existing settlements (View)
Status	Processed
Submission Type	Letter
Version	0.3
Files	H8-Roberts-PLPP579-redacted.pdf
Are you responding on behalf of a group?	No
Please tick the box(es) if you would like to be notified at an address/email address of the following:	<input type="checkbox"/> The submission of Local Plan to the Secretary of State for Public Examination <input type="checkbox"/> The publication of the recommendations of any person appointed to carry out an the Examination of the Local Plan (the Inspector's Report) <input type="checkbox"/> The adoption of the Purbeck Local Plan
Which policy / paragraph number / policies map does your comment relate to?	H8
Do you consider that the Local Plan is legally compliant?	Yes
Do you consider that the Local Plan is sound?	No

(Please note that the Planning Inspector will make the final decision on who will be invited to attend individual sessions at the examination, although all members of the public may observe the proceedings)

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For Office Use Only

Requester ID: 0056
 Consultee ID: 1191038
 Comment ID's: PLPP579

PART B

1. Which part of the Purbeck Local Plan does your representation relate to? Separate forms must be completed for each separate policy or paragraph you wish to comment on.

Policy number	H8
Policies map	
Paragraph number	

~~SHLAA~~ SHLAA

2. Do you consider that the Local Plan is:

- | | | | | |
|---|-----|-------------------------------------|----|-------------------------------------|
| • Legally compliant | Yes | <input checked="" type="checkbox"/> | No | <input type="checkbox"/> |
| • Sound | Yes | <input type="checkbox"/> | No | <input checked="" type="checkbox"/> |
| • Complies with the duty to co-operate. | Yes | <input type="checkbox"/> | No | <input type="checkbox"/> |

If your representation relates to how the Council has prepared the Local Plan it is likely to relate to legal compliance. The Plan must:

- comply with Section 20 of the Planning and Compulsory Purchase Act 2004 and other related legislation;
- be in accordance with the Council's Local Development Scheme and Statement of Community Involvement;
- comply with the Town and Country Planning (Local Planning) (England) Regulations 2012, national planning policy and the duty to co-operate in relation to planning of sustainable development (section 110 of Localism Act 2011).

If your representation relates to the content of the Local Plan, it is likely to relate to its soundness. To be considered sound the plan must be:

- positively prepared - providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
- justified - an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
- effective - deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
- consistent with national policy - enabling the delivery of sustainable development in accordance with the policies in the Government's National Planning Policy Framework.

If your representation relates to how the Council has consulted with other relevant bodies during the plan making process, it is likely to relate to how the plan process has complied with the duty to co-operate in relation to the planning of sustainable development.

3. Please give details of why you consider the policy, policies map or paragraph number of the Local Plan is / is not legally compliant, sound or fails to comply with the duty to co-operate. (Please be as precise as possible).

Purbeck Local Plan :

- * Does not identify individual sites for development, whilst SHLAA does.
 - * Does not clarify that forthcoming planning applications will not be supported by the future District Council
 - * Evaluation of the full effect of development of all the proposed sites in West Lulworth has not been supported by a map/plan of all sites on one page.
 - * The nomination of all sites in West Lulworth is in contradiction to limitations imposed by AONB, Conservation Area, Green Belt and other protective bodies/schemes.
 - * No estimates of the impacts on the West Lulworth infrastructure have been identified or quantified
 e.g. roadways - accesses, volumes, etc. Emergency services
 drainage/sewage/water
 electricity supplies
 - * No account has apparently been taken of the viability of development of the individual sites in West Lulworth
 - * The development of all sites in West Lulworth would result in the destroying of the character of the village
- (Please continue on a separate sheet if necessary)
- * The number of proposed small sites in West Lulworth and Wimborne Newburgh is out of proportion in the context of the whole district, ie 24% in West Lulworth alone!

4. Having regard to your comments in question 3, please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound. You will need to say why this change will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording for any policy or text and where appropriate provide evidence necessary to support/justify the representation. (Please be as precise as possible)

(Please continue on a separate sheet if necessary)

5. If your representation is seeking a change to the Local Plan, do you consider it necessary to participate in the oral part of the examination? Please note that the Planning Inspector will make the final decision on who will be invited to attend individual sessions of the examination, although all members of the public may observe the proceedings. Only those who have made representations to the Local Plan during the statutory six week pre-submission publication period will be allowed to participate in the public examination.

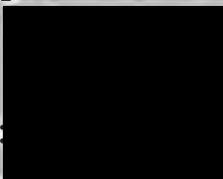
Yes

No

6. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary?

(Please continue on a separate sheet if necessary)

Please sign and date this form:

Signature: 

Date: 3.12.18

Comment

Consultee	Mr Renny Henderson (1191230)
Email Address	██
Company / Organisation	RSPB
Address	RSPB, Fourth Floor, North Block, Broadwalk House Southernhay West Exeter EX1 1TS
Event Name	Purbeck Local Plan Pre-submission Draft
Comment by	RSPB (Mr Renny Henderson - 1191230)
Comment ID	PLPP436
Response Date	03/12/18 16:33
Consultation Point	Policy E10: Biodiversity and geodiversity (View)
Status	Processed
Submission Type	Web
Version	0.2
Are you responding on behalf of a group?	Yes
If yes, how many people do you represent?	RSPB
Please tick the box(es) if you would like to be notified at an address/email address of the following:	
Which policy / paragraph number / policies map does your comment relate to?	E10
Do you consider that the Local Plan is legally compliant?	Yes
Do you consider that the Local Plan is sound?	No
Do you consider that the Local Plan complies with the duty to co-operate?	Yes

Please give details of why you consider this part of the Local Plan is / is not legally compliant, sound or fails to comply with the duty to co-operate. (Please be as precise as possible)

Draft policy E10 – Biodiversity

Regarding this policy we would comment that the Dorset Local Nature Partnership (LNP) and Dorset Environmental Records Centre (DERC) have published a suite of maps setting out Dorset's Ecological Networks and Potential Ecological Networks for each Local Planning Authority. These maps aim to assist in locating and designing new development to protect important habitat and to target creation and enhancement in areas to maximise benefit. The RSPB recommends that wording be added to point c) to make specific reference to wildlife corridors and to the Dorset Ecological Networks or within new supporting text added after paragraph 99.

Having regard to your previous comments, please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound. You will need to say why this change will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording for any policy or text and where appropriate provide evidence necessary to support / justify the representation. (Please be as precise as possible)

See above

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If your representation is seeking a change to the Local Plan, do you consider it necessary to participate in the oral part of the examination? No

Comment

Consultee	Mr Renny Henderson (1191230)
Email Address	██
Company / Organisation	RSPB
Address	RSPB, Fourth Floor, North Block, Broadwalk House Southernhay West Exeter EX1 1TS
Event Name	Purbeck Local Plan Pre-submission Draft
Comment by	RSPB (Mr Renny Henderson - 1191230)
Comment ID	PLPP437
Response Date	03/12/18 16:34
Consultation Point	Policy E5: Sustainable drainage systems (SuDs) (View)
Status	Processed
Submission Type	Web
Version	0.2
Are you responding on behalf of a group?	Yes
If yes, how many people do you represent?	RSPB
Please tick the box(es) if you would like to be notified at an address/email address of the following:	
Which policy / paragraph number / policies map does your comment relate to?	E5
Do you consider that the Local Plan is legally compliant?	Yes
Do you consider that the Local Plan is sound?	No
Do you consider that the Local Plan complies with the duty to co-operate?	Yes

Please give details of why you consider this part of the Local Plan is / is not legally compliant, sound or fails to comply with the duty to co-operate. (Please be as precise as possible)

Draft Policy E5 - Sustainable drainage systems (SuDs)

Within this policy we recommend that under the heading "Where needed, sustainable drainage systems should be designed taking account of:" that a new bullet is added "opportunities for maximising biodiversity benefit" to reflect national planning policy.

Having regard to your previous comments, please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound. You will need to say why this change will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording for any policy or text and where appropriate provide evidence necessary to support / justify the representation. (Please be as precise as possible)

See above

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If your representation is seeking a change to the Local Plan, do you consider it necessary to participate in the oral part of the examination? No

Comment

Consultee	Mr Renny Henderson (1191230)
Email Address	██
Company / Organisation	RSPB
Address	RSPB, Fourth Floor, North Block, Broadwalk House Southernhay West Exeter EX1 1TS
Event Name	Purbeck Local Plan Pre-submission Draft
Comment by	RSPB (Mr Renny Henderson - 1191230)
Comment ID	PLPP442
Response Date	03/12/18 16:35
Consultation Point	Policy E12: Design (View)
Status	Processed
Submission Type	Web
Version	0.3
Are you responding on behalf of a group?	Yes
If yes, how many people do you represent?	RSPB
Please tick the box(es) if you would like to be notified at an address/email address of the following:	
Which policy / paragraph number / policies map does your comment relate to?	E12
Do you consider that the Local Plan is legally compliant?	Yes
Do you consider that the Local Plan is sound?	Yes
Do you consider that the Local Plan complies with the duty to co-operate?	Yes

Please give details of why you consider this part of the Local Plan is / is not legally compliant, sound or fails to comply with the duty to co-operate. (Please be as precise as possible)

Draft Policy E12 – Design

The RSPB supports the inclusion of point f) within this policy which highlights the Council's expectation that all development design should aim to "support biodiversity through sensitive landscaping and in-built features".

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Comment

Consultee	Mr Renny Henderson (1191230)
Email Address	[REDACTED]
Company / Organisation	RSPB
Address	RSPB, Fourth Floor, North Block, Broadwalk House Southernhay West Exeter EX1 1TS
Event Name	Purbeck Local Plan Pre-submission Draft
Comment by	RSPB (Mr Renny Henderson - 1191230)
Comment ID	PLPP450
Response Date	03/12/18 16:37
Consultation Point	Policy H4: Moreton Station / Redbridge Pit (View)
Status	Processed
Submission Type	Web
Version	0.2
Are you responding on behalf of a group?	Yes
If yes, how many people do you represent?	RSPB
Please tick the box(es) if you would like to be notified at an address/email address of the following:	
Which policy / paragraph number / policies map does your comment relate to?	H4
Do you consider that the Local Plan is legally compliant?	Yes
Do you consider that the Local Plan is sound?	No
Do you consider that the Local Plan complies with the duty to co-operate?	Yes

Please give details of why you consider this part of the Local Plan is / is not legally compliant, sound or fails to comply with the duty to co-operate. (Please be as precise as possible)

Draft Policy H4: Moreton Station / Redbridge Pit

The housing proposed here lies in proximity to Warmwell Heath and Winfrith Heath SSSIs, part of Dorset Heathlands SPA/Ramsar and Dorset Heaths SAC. Although it is noted that a Suitable Alternative Natural Greenspace (SANG) is being proposed in relation to housing here no other details have been provided.

The RSPB is concerned that the phased restoration of the site from an extensive sand/gravel quarry is likely to have an impact on the relative appeal of an on-site SANG in comparison with existing, natural heathland destinations nearby. The HRA also raises questions regarding the timescale of SANG development and advises that additional land will be required in order to deliver an effective SANG in advance of housing. We support these observations.

Having regard to your previous comments, please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound. You will need to say why this change will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording for any policy or text and where appropriate provide evidence necessary to support / justify the representation. (Please be as precise as possible)

See above

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If your representation is seeking a change to the Local Plan, do you consider it necessary to participate in the oral part of the examination? No

Comment

Consultee	Mr Renny Henderson (1191230)
Email Address	██
Company / Organisation	RSPB
Address	RSPB, Fourth Floor, North Block, Broadwalk House Southernhay West Exeter EX1 1TS
Event Name	Purbeck Local Plan Pre-submission Draft
Comment by	RSPB (Mr Renny Henderson - 1191230)
Comment ID	PLPP452
Response Date	03/12/18 16:38
Consultation Point	Policy H5: Wool (View)
Status	Processed
Submission Type	Web
Version	0.2
Are you responding on behalf of a group?	Yes
If yes, how many people do you represent?	RSPB
Please tick the box(es) if you would like to be notified at an address/email address of the following:	
Which policy / paragraph number / policies map does your comment relate to?	H5
Do you consider that the Local Plan is legally compliant?	Yes
Do you consider that the Local Plan is sound?	No
Do you consider that the Local Plan complies with the duty to co-operate?	Yes

Please give details of why you consider this part of the Local Plan is / is not legally compliant, sound or fails to comply with the duty to co-operate. (Please be as precise as possible)

Draft Policy H5: Wool

Several land parcels have been allocated at Wool to accommodate up to 466 new dwellings. A number of designated heathland sites with established public access lie in proximity to Wool, of particular concern is Winfrith Heath SSSI, part of Dorset Heathlands SPA/Ramsar and Dorset Heaths SAC. The preceding Options stage of the plan indicated Coombe Wood, to the south of Wool, could function well as a SANG. No details are given within the draft Plan to confirm if this site is still considered suitable for mitigating the impacts of new housing here albeit the HRA suggests it remains an option.

A SANG at Coombe Wood appears reasonably accessible from housing proposed on land to the west of Chalk Pit Lane and Oakdene Road. However, accessibility from the remaining allocations and its relative appeal as a destination would need to be fully assessed to ensure all residents seeking recreation options by car are deflected from visits to nearby designated heathland.

Having regard to your previous comments, please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound. You will need to say why this change will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording for any policy or text and where appropriate provide evidence necessary to support / justify the representation. (Please be as precise as possible)

See above

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If your representation is seeking a change to the Local Plan, do you consider it necessary to participate in the oral part of the examination? No

Comment

Consultee	Mr Renny Henderson (1191230)
Email Address	████████████████████
Company / Organisation	RSPB
Address	RSPB, Fourth Floor, North Block, Broadwalk House Southernhay West Exeter EX1 1TS
Event Name	Purbeck Local Plan Pre-submission Draft
Comment by	RSPB (Mr Renny Henderson - 1191230)
Comment ID	PLPP455
Response Date	03/12/18 16:39
Consultation Point	Policy H6: Lytchett Matravers (View)
Status	Processed
Submission Type	Web
Version	0.1
Are you responding on behalf of a group?	Yes
If yes, how many people do you represent?	RSPB
Please tick the box(es) if you would like to be notified at an address/email address of the following:	
Which policy / paragraph number / policies map does your comment relate to?	H6
Do you consider that the Local Plan is legally compliant?	Yes
Do you consider that the Local Plan is sound?	No
Do you consider that the Local Plan complies with the duty to co-operate?	Yes

Please give details of why you consider this part of the Local Plan is / is not legally compliant, sound or fails to comply with the duty to co-operate. (Please be as precise as possible)

Draft Policy H6: Lytchett Matravers

There is a risk that additional housing at Lytchett Matravers could result in additional recreational pressure at Upton Heath, Holton Heath, Sandford Heath and other sites within the Wareham Forest complex. This includes additional pressure on nearby and accessible internationally designated areas at Morden Bog/Hyde Heath. Consideration should also be given to SPA species using supporting habitat within undesignated areas of the forest and in proximity to the allocation.

Having regard to your previous comments, please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound. You will need to say why this change will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording for any policy or text and where appropriate provide evidence necessary to support / justify the representation. (Please be as precise as possible)

See above

(Please note that the Planning Inspector will make the final decision on who will be invited to attend individual sessions at the examination, although all members of the public may observe the proceedings)

Only those who have made representations to the Local Plan during the statutory six week pre-submission publication period will be allowed to participate in the public examination.

If your representation is seeking a change to the Local Plan, do you consider it necessary to participate in the oral part of the examination? No

Comment

Consultee	Mr Renny Henderson (1191230)
Email Address	[REDACTED]
Company / Organisation	RSPB
Address	RSPB, Fourth Floor, North Block, Broadwalk House Southernhay West Exeter EX1 1TS
Event Name	Purbeck Local Plan Pre-submission Draft
Comment by	RSPB (Mr Renny Henderson - 1191230)
Comment ID	PLPP463
Response Date	03/12/18 16:44
Consultation Point	Policy EE2: Planning for employment (View)
Status	Processed
Submission Type	Web
Version	0.2
Are you responding on behalf of a group?	Yes
If yes, how many people do you represent?	RSPB
Please tick the box(es) if you would like to be notified at an address/email address of the following:	
Which policy / paragraph number / policies map does your comment relate to?	EE2
Do you consider that the Local Plan is legally compliant?	Yes
Do you consider that the Local Plan is sound?	No
Do you consider that the Local Plan complies with the duty to co-operate?	Yes

Please give details of why you consider this part of the Local Plan is / is not legally compliant, sound or fails to comply with the duty to co-operate. (Please be as precise as possible)

Draft Policy EE2: Planning for employment

We recommend that a headline reference to biodiversity could be usefully added to this policy, following the text “does not harm the character of the surrounding landscape”. Our suggestion is “does not harm the character of the surrounding landscape or have an adverse impact on biodiversity”.

Although the impact of employment land use on designated sites differs to that of residential, there are some similarities and additional effects that need to be considered. Mitigation measures are required to avoid increased public or employee access to protected sites. Purbeck has a number of employment areas which are in proximity to heathland sites. In particular the HRA (paragraph 6.3, page 67) raises issues with proposed increases in capacity near Blackhill within the Holton Heath Trading Park where increasing capacity could result in indirect impacts on protected areas. We support these observations.

The RSPB would expect the impacts of any planned extension or intensification of employment uses will be fully assessed for impacts on designated sites and features.

-

Having regard to your previous comments, please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound. You will need to say why this change will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording for any policy or text and where appropriate provide evidence necessary to support / justify the representation. (Please be as precise as possible)

See above

(Please note that the Planning Inspector will make the final decision on who will be invited to attend individual sessions at the examination, although all members of the public may observe the proceedings)

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If your representation is seeking a change to the Local Plan, do you consider it necessary to participate in the oral part of the examination? No

Comment

Consultee	Mr Renny Henderson (1191230)
Email Address	[REDACTED]
Company / Organisation	RSPB
Address	RSPB, Fourth Floor, North Block, Broadwalk House Southernhay West Exeter EX1 1TS
Event Name	Purbeck Local Plan Pre-submission Draft
Comment by	RSPB (Mr Renny Henderson - 1191230)
Comment ID	PLPP464
Response Date	03/12/18 16:45
Consultation Point	Policy I5: Morden Park strategic suitable alternative natural green space (SANG) and holiday park (View)
Status	Processed
Submission Type	Web
Version	0.2
Are you responding on behalf of a group?	Yes
If yes, how many people do you represent?	RSPB
Please tick the box(es) if you would like to be notified at an address/email address of the following:	
Which policy / paragraph number / policies map does your comment relate to?	I5
Do you consider that the Local Plan is legally compliant?	Yes
Do you consider that the Local Plan is sound?	No
Do you consider that the Local Plan complies with the duty to co-operate?	Yes

Please give details of why you consider this part of the Local Plan is / is not legally compliant, sound or fails to comply with the duty to co-operate. (Please be as precise as possible)

Draft Policy I5: Morden Park strategic suitable alternative natural green space (SANG) and holiday park

The RSPB has serious concerns about the inclusion of this policy given the current general lack of detail that has been provided and the proximity of the site to Morden Bog and Hyde Heath SSSI which is part of the Dorset Heathlands SPA/Ramsar and Dorset Heaths SAC.

The HRA (paragraph 6.6, page 68) states “Likely significant effects to the interest features of the designated sites would include disturbance to Annex I birds, increased fire incidence, trampling, dog fouling, water quality. The areas outside the designated site boundary are likely to be important for nightjar and woodlark, in terms of foraging and possibly even breeding sites, and therefore are functionally linked to the SPA and areas of Wareham Forest (outside the SPA) support internationally important numbers of both woodlark and nightjar in their own right.”

The HRA lists a significant number of design elements that would be critical to avoid impacts on protected areas. Without further assurances that a scheme of this nature can be designed to mitigate the various constraints posed by the highly sensitive location our concerns about the inclusion of this policy remain.

Having regard to your previous comments, please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound. You will need to say why this change will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording for any policy or text and where appropriate provide evidence necessary to support / justify the representation. (Please be as precise as possible)

see above

(Please note that the Planning Inspector will make the final decision on who will be invited to attend individual sessions at the examination, although all members of the public may observe the proceedings)

Only those who have made representations to the Local Plan during the statutory six week pre-submission publication period will be allowed to participate in the public examination.

If your representation is seeking a change to the Local Plan, do you consider it necessary to participate in the oral part of the examination? No

Comment

Consultee	Dr Angela Salter (1190873)
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Event Name	Purbeck Local Plan Pre-submission Draft
Comment by	Dr Angela Salter (1190873)
Comment ID	PLPP218
Response Date	01/12/18 21:53
Consultation Point	Policy I4: Recreation, sport and open space (View)
Status	Processed
Submission Type	Web
Version	0.1
Files	Disposal or change of use of playing field and school land
Are you responding on behalf of a group?	No
Please tick the box(es) if you would like to be notified at an address/email address of the following:	
Which policy / paragraph number / policies map does your comment relate to?	14
Do you consider that the Local Plan is legally compliant?	Yes
Do you consider that the Local Plan is sound?	No
Do you consider that the Local Plan complies with the duty to co-operate?	Yes

Please give details of why you consider this part of the Local Plan is / is not legally compliant, sound or fails to comply with the duty to co-operate. (Please be as precise as possible)

Please make it clear that current green field recreation and sport sites such as the former Wareham Middle School playing field and the Recreation ground on Worget Rd will be kept as green field sport and recreation sites .

There is national documentation on provision of such sites .

Having regard to your previous comments, please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound. You will need to say why this change will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording for any policy or text and where appropriate provide evidence necessary to support / justify the representation. (Please be as precise as possible)

The current text is vague. Please make it clear that current green field recreation and sport sites such as the former Wareham Middle School playing field and the Recreation ground on Worget Rd will be kept as green field sport and recreation sites .

It is clear that the government guidelines below stipulate at least 22 acres for a secondary school the size of Purbeck school which is about the size of the facilities at the Purbeck School and the field at the former Wareham Middle School combined

If you have any supporting documents please upload them here. [Disposal or change of use of playing field and school land](#)
[Disposal or change of use of playing field and school land](#)

(Please note that the Planning Inspector will make the final decision on who will be invited to attend individual sessions at the examination, although all members of the public may observe the proceedings)

Only those who have made representations to the Local Plan during the statutory six week pre-submission publication period will be allowed to participate in the public examination.

If your representation is seeking a change to the Local Plan, do you consider it necessary to participate in the oral part of the examination? Yes

If you wish to participate in the oral part of the examination, please outline why you consider it to be necessary?

to properly understand how green field sport and recreation sites will be continued for the future



Department
for Education

Disposal or change of use of playing field and school land

**Departmental advice for local authorities,
maintained schools, special schools,
academies and free schools**

May 2015

Contents

Summary	4
About this departmental advice	4
Expiry or review date	5
Who is this advice for?	5
Policy	6
Transactions for which you will need consent	7
Disposals	7
Changes of use of playing field land	8
Criteria used to assess playing field applications	9
The school's needs	9
Curriculum needs	9
Other schools' needs	9
Community use	9
Reinvestment of proceeds in sport and education facilities	10
Value for money	11
Affordability	11
Application and assessment processes	12
The School Playing Fields Advisory Panel	12
Annex A: definition of playing field land	14
What is playing field land?	14
Annex B: legal framework for the disposal of playing field land	16
Disposals	16
Changes of use	16
Annex C: area guidelines for playing field land at existing schools and academies	18
Annex D: playing field consultation guidelines	20
Annex E: General Consent Orders	21
Annex F: General Consents: Section 77 School Standards and Framework Act 1998	22
Annex G: General Consents: Schedule 1 Academies Act 2010	26
Annex H: General Consent for disposal of school playing fields by restriction	28
Further information	30

Other relevant departmental advice and statutory guidance	30
Useful resources and external organisations	30

Summary

About this departmental advice

1. This is departmental advice from the Department for Education. This advice is non-statutory and sets out the Secretary of State's policy to protect school playing fields and the Secretary of State's powers to protect land for academies and maintained schools.
2. Prior written consent of the Secretary of State for Education is required to dispose of land (which includes any transfer/sale of freehold or leasehold land and the grant/surrender of a lease). Applications and notifications must be made to the Education Funding Agency. Before making an application (or giving notification) to the EFA you should read this summary which explains the evidence you will need to provide and the process to follow.
3. This advice describes the main circumstances in which local authorities, academy trusts, governing bodies and diocesan bodies need to obtain the prior written consent of the Secretary of State for Education to dispose of, or change the use of, land used by maintained schools and academies, including playing field land. It also describes how the Secretary of State will assess applications for such consent.
4. This advice does not influence or affect the procedures for applying for planning permission. The Secretary of State for Education does not have any statutory powers to influence any future development of land.
5. This advice has been produced to help you understand your obligations and duties in relation to:
 - Schedule 1 to the Academies Act 2010 ("AA 2010")
 - Section 77 of the School Standards and Framework Act 1998 ("SSFA 1998")
 - Schedule 14 to the Education Act 2011
 - the General Consent Orders 2011, 2012 and 2014
 - the Education (Independent Schools Standards) England (Amendment) Regulations 2012
 - 'Advice on Standards for School Premises', March 2015¹

¹ The 2015 advice refers to the School Premises (England) Regulations 2012 (SPRs) that apply to all schools maintained by a local authority and Part 5 of The Education (Independent School Standards) (England) Regulations 2010 (ISS)

Expiry or review date

We plan to review this advice by May 2016.

Who is this advice for?

This advice is for:

- local authorities
- academy trusts
- diocesan authorities
- governing bodies of maintained schools
- School Playing Field Advisory Panel
- sporting bodies

Policy

6. The [2015 advice on standards for school premises](#) confirms that all maintained schools and academies must provide suitable outdoor space to enable physical education in accordance with the school curriculum and to enable pupils to play outside. There is a very strong policy presumption against the disposal of school playing field land.

7. The Secretary of State for Education uses the definition of “playing field land” set out in SSFA 1998 as **“land in the open air which is provided for the purposes of physical education or recreation.”** [Annex A](#) provides examples of what this definition includes. You should note this is a wide definition and it does not matter if the land is not currently in use for sport or recreation or is not laid out for formal team games.

Transactions for which you will need consent

Disposals

8. The requirement for the Secretary of State's consent applies to all maintained schools and academies² where it is proposed to dispose of publicly funded land³. [Annex B](#) summarises the legal framework but you should take independent legal advice if you are unsure about any of your statutory obligations. You will need to apply to or notify the Education Funding Agency ("EFA") of any intended transaction to dispose of any playing field land, and you should not assume that approval will be granted. You should not take any step to transfer your interest to another party or start works before receiving the Secretary of State's decision in writing.

9. The Department for Education publishes a [list of all disposals](#) that have been granted consent since May 2010 and updates this each month.

10. A local authority may notify the EFA if it believes a General Consent Order applies, but otherwise, the Secretary of State will consider all applications and make a decision that balances the benefit to the school (or other local schools) against the loss of the playing field land. Three General Consent Orders currently issued can be found at annexes [E](#), [G](#) and [H](#).

11. The Secretary of State may direct that the land is to be used for another educational purpose and what should happen to any receipts, having regard to the sufficiency of playing field land at the applicant's school or those close to it and any representations made including from any authorised community users.

12. You should read [Annex C](#) on how to calculate the need for playing field land and the guidance on consultation at [Annex D](#). You should note that the Secretary of State is unlikely to approve applications that result in the school's playing field provision falling under the area guidelines, and also has the power to direct that the disposal should simply not take place. You should discuss your proposals with Sport England at an early stage as they will be involved as a statutory consultee when you submit any planning application.

² Under Schedule 1 to AA 2010, the prior consent of the Secretary of State for Education is required to dispose of any land – whether or not it is playing field land.

³ Including land which was originally private but has been enhanced by public funds as set out in Schedule 22 to SSFA 1998 and Schedule 1 to AA 2010.

Changes of use of playing field land

13. The Secretary of State's consent is also required for a change of use of playing field land, whether for another educational purpose or a non-educational purpose.⁴

14. General Consent Orders apply to some situations on land owned by the local authority. If the conditions set out in the Order are met, the local authority will be able to notify the EFA using the process explained below.

⁴ s.77 School Standards and Framework Act as amended by the Education Act, 2011

Criteria used to assess playing field applications

15. The criteria which the Secretary of State uses to decide an application are the same for all publicly funded school playing field land. The Secretary of State will consider the overall balance of benefit of the disposal against expected gains, to pupils and existing community users.

16. The criteria applied to the decision will include the area guidelines for a school's outdoor space ([Annex C](#)). Schools occupying restricted sites may need to demonstrate they have access to suitable off-site provision. The criteria include:

The school's needs

17. By reference to area guidelines, worked examples of how to calculate this are set out below. The guidelines give an indication of what is a suitable amount of space, and any disposal that would reduce the space below the guidelines is unlikely to be approved. The guidelines provide for some flexibility and potential growth in pupil numbers: they are based on the higher of (a) 105% of the current capacity, or (b) forecast pupil numbers five academic years after the application. Artificial pitches are counted as double their surface area to reflect their extended availability as they can be used all year round.

Curriculum needs

18. Applications for consent to dispose of playing field land should include a detailed assessment of how the proposal would affect the provision of the sports curriculum, and show clearly how the curriculum will be met if consent is granted. You will need to show that the curriculum needs are met at the school seeking to dispose of playing field land and any other school using the land. For example, where alternative off-site provision is proposed, the effect of additional travel time should be taken into account.

Other schools' needs

19. As part of your consultation exercise, you will need to identify if any primary schools and special schools within half a mile, or secondary schools within a mile of your site, do not meet the DfE's published area guidelines for playing field land. If any of them do not, you must provide evidence from the governing body of those schools that they do not need the land which you propose to dispose of.

Community use

20. The Secretary of State will take account of community use of playing fields under an authorised agreement. This will include after-school activities and out-of-hours clubs.

If your proposals include a permanent loss of playing fields, you will be asked to show that any existing after-school activities will not be adversely affected.

21. A formal agreement to use the playing fields may be written or oral. The essential test is that the land is used with the express authorised agreement of the school or academy.

22. If your proposals would displace any current authorised community users, you will need to show how the proposals would affect them and, in particular, whether their activities can realistically be moved elsewhere on reasonable terms. If realistic alternative venues cannot be provided, you should give reasons why the Secretary of State should grant consent. Where fencing off of playing fields has already displaced formal community users, you will need to provide evidence giving reasons why the playing fields were closed to those users, and whether the alternative arrangements made are suitable.

23. When considering whether to make a direction about land that is proposed to be disposed of at maintained schools or academies which have closed or are due to close, the Secretary of State will consider whether the views of existing community users of any playing field land have been taken into account, and whether reasonable alternative arrangements have been offered.

Reinvestment of proceeds in sport and education facilities

24. The Secretary of State has the discretion to direct what any sums from the disposal of land (“disposal proceeds”) are to be used for, including that all disposal proceeds are paid to the Secretary of State. Unless pursuant to a General Consent Order or otherwise agreed beforehand by the EFA all applications must include a recent valuation report prepared (preferably) by the District Valuer, or alternatively another Registered Valuer, together with a breakdown of how proceeds will be invested. The Secretary of State will expect that the first priority for reinvestment should be sports facilities where these are needed by the school. A significant factor in exercising this discretion to dispose of playing field land will be whether you ring-fence the disposal proceeds in capital facilities for sport (which will take priority), recreation or education facilities. This investment may be at the school or academy or, where this is not practical or existing facilities do not require investment on site, in facilities that will benefit another maintained school or local academy. Any proposed new facilities should reflect the breadth of physical activity and existing facilities in the area – Sport England can advise on the need for strategic facilities in the area.

25. Sport and recreation can include indoor or outdoor sport, play or activities such as dance and other activities that help engage people in a wide spectrum of physical activity. Applicants should remember, in particular, their duties under the Equality Act 2010.

Value for money

26. The applicant is responsible for ensuring that the disposal of publicly funded land satisfies the requirements in the Treasury's publication [Managing Public Money](#).

Affordability

27. Where you propose to spend any disposal proceeds on a capital project, the Secretary of State will expect the project to be affordable, with no funding gap that could jeopardise the financial stability of the school or academy. The affordability considerations must take into account the restrictions on the use of income from disposal of capital assets that are described in the Treasury's publication [Consolidated Budgeting Guidance](#) chapter on "Income and the Capital Budget".

Application and assessment processes

28. The Secretary of State's decision is informed by the EFA's assessment of the information you provide using the [forms](#).

29. Where your proposal is to dispose of playing field land, you will be expected to have consulted adequately on the proposals before making any application for consent. Annex D provides guidelines that should be followed.

30. When you submit the form, you will need to give the EFA all the information it needs to assess your application for it to be registered and assessed. The EFA asks for this information with the application form to reduce the number of times it has to ask applicants for more information or clarification. You should note that the EFA's time for assessing applications for the disposal of playing fields will vary according to the type of transaction. Where you meet the criteria of a General Consent Order, you should normally receive confirmation soon after submission. Some applications may take longer to assess including when further evidence may be sought. The Secretary of State may ultimately decide not to grant consent. You must not take any steps to dispose of the land before you have received the Secretary of State's written consent or a notification of her decision to make a direction regarding the land.

31. Once you have submitted your application, you will be notified of who is managing the case at the EFA, a reference number to quote in any further communications and an indicative timescale for the Secretary of State's decision.

32. Whether you are applying to dispose of land under s.77 of SSFA 1998 or Schedule 1 to AA 2010, your application will be assessed using the criteria set out in section 6 of this guidance.

The School Playing Fields Advisory Panel

33. The EFA and the School Playing Fields Advisory Panel (see below) use the same criteria as set out in this advice. S.77 applications are referred to the independent School Playing Fields Advisory Panel which has no decision making or executive function. The Chair of the Panel acts as an impartial and independent Chairman and is appointed by the Secretary of State. The Panel comprises representatives of:

- Fields in Trust
- Learning through Landscapes
- Local Government Association
- National Association of Head Teachers

- Sport and Recreation Alliance
- Sport England attends each Panel meeting in an observer capacity.

34. The purpose of the Panel is to provide the Secretary of State with independent, objective advice on the merits of each application to dispose of school playing fields, and the Panel makes a recommendation to the Secretary of State.

35. Ministers consider the Panel's advice alongside a range of other issues. The existence of the Panel makes it unnecessary for applicants to consult any of these organisations prior to application.

Annex A: definition of playing field land

What is playing field land?

1. The EFA adopts the definition in s.77(7) of SSFA 1998 being *'land in the open air which is provided for the purposes of physical education or recreation, other than any prescribed description of land'*. It will include:

- **grass pitches and artificial surface pitches** set out for the playing of sports;
- **hard surface games courts** including multi-games courts, tennis courts, netball courts and hard paving marked out for games;
- **informal and social areas**, including grassed areas, paved areas (including playgrounds), outdoor seating and teaching areas including rest and quiet areas;
- **marginal areas**, around the edges of playing fields for run-off and to allow for the cyclical realignment of pitches;
- **habitat areas**, set aside for the formal teaching of nature or informal curriculum purposes, including meadowland, wildlife habitats (including ponds), gardens, nature trails and outdoor science areas. Allotment gardens are included in the definition as well as woodland habitat areas;
- **local authority parkland** or other open space that is used, or has been used in the last ten years, for the purposes of a maintained school.

2. **A sports pitch** will naturally form part of a school's playing fields and means an area of:

- open grassed land that is capable of forming a small pitch of at least 2,000m² (the Football Association's recommended area for games played by under-10's). Its configuration and topography should make it suitable for a sports pitch, whether it is laid out or not; or
- synthetic or artificial playing surface, or dedicated hard games court of more than that is set out for team games.

3. **Hard play area** means incidental recreation area with tarmac, concrete or paved surface. It does not include areas provided mainly for any type of sport.

4. **Enclosed social area** means social areas, not used for any type of sport, which are enclosed on at least 3 sides by school buildings.

5. By contrast, examples of land that is non-playing field land includes:

- land on which a building or other structure stands including sports halls, indoor and outdoor swimming pools and incidental land that is functionally linked to such buildings or structures;

- soft landscaped or grassed areas not suitable for use for physical education or recreation purposes, such as marginal waste land outside a school's physical boundary fence and ornamental or other flower beds which directly surround a building or which are connected to a caretaker's house, and
- roads, car parks, paths, and hard standing areas for storing waste containers.

Annex B: legal framework for the disposal of playing field land

1. This annex outlines the statutory basis for the protection of playing fields at existing maintained schools and academies. You should seek independent legal advice if you need further explanation.
2. There are two pieces of legislation, explained below, that require any school or academy to obtain the Secretary of State's consent to dispose of playing field land.

Disposals

3. Schedule 1 to the Academies Act 2010 (AA 2010). This applies to academies (which include Studio Schools, University Technical Colleges, Free Schools and Special Schools) seeking consent to dispose of any publicly funded land, including playing field land. It also applies to (among others) academy trusts, local authorities, governing bodies, and foundation trusts that hold land for academies.
4. Section 77 of the School Standards and Framework Act 1998 (SSFA 1998) This applies to local authorities, governing bodies and trustees (such as those who hold land for voluntary and foundation schools) seeking consent to dispose of land that is being currently used or has been used for playing fields for the purposes of a maintained school in the last 10 years. If a maintained school has converted to an academy, s77 will only apply to a local authority in respect of any playing field land leased from the local authority until the 10-year period has expired. Both during and after the expiry of the 10-year period Schedule 1 to AA 2010 will apply to the disposal of any land held by any person for the purposes of an academy, whether or not it is playing field land. The same assessment criteria will apply to all applications to dispose of playing field land before or after the ten year period has expired.
5. s.77 of SSFA 1998 applies to all schools maintained by a local authority including voluntary schools, foundation schools and special schools. Where a school site is surplus to requirements, normally as a result of closure, amalgamation or consolidation, consent to dispose of the land is required under paragraph 12 of Schedule 1 to AA 2010.

Changes of use

6. s.77(3) of SSFA 1998 provides that a local authority, governing body, foundation body or trustee of a foundation, voluntary or foundation special school may not *"take any action...which is intended or likely to result in a change of use of any playing fields...whereby the playing fields will be used for the purposes which do not consist of or include their use as playing fields by a maintained school for the purposes of that school."* So a local authority may not erect new school or other buildings on playing fields, or

change their use, without prior consent under s.77(3). (Some changes of use are covered by General Consent Order (No 5) 2014 but only if they are set out in the Schedule to that Order.) A change of use to, for example, a residential care home is not covered by s.77(3) and requires a full application.

7. s.77 of SSFA 1998 does not apply to academy trusts, but it does apply to local authorities. Therefore, if an academy trust holds playing field land under a lease from a local authority, and if the land was used by a maintained school at some time in the previous 10 years, the local authority will need consent to change the use of the land (for example, to build a classroom on the land to address basic need pressures). If the proposed change of use would take the land out of academy use (for example, if a community centre is to be sited on the land), the academy trust will require consent under paragraph 17 of Schedule 1 to AA 2010, and the local authority will also need consent under s 77 of SSFA 1998.

8. If the circumstances described in one of the Class Consents Orders applies and where conditions are met, the applicant is to confirm this to the EFA when applying.

Annex C: area guidelines for playing field land at existing schools and academies

1. The Department for Education has published non-statutory area guidelines for existing maintained schools and academies on the recommended size of playing fields. Some schools may not be able to meet the guidelines, but they are still expected to have access (including possible hire of facilities off-site) to meet their curriculum needs and meet the requirements in the Premises Regulations. New schools are to meet the standards in BB103.
2. The guideline is made up of two elements: a base area and an area per pupil, adjusted for the age of the pupils. An example is shown here for each type of school or academy. For all-through schools or academies, the base area for each age group is 9,000 m².
3. An application has to include type of playing field land (not just land laid out for sport). Artificial (all weather) pitches are able to be included at double their superficial area as they can be used more than a grass pitch throughout the year.
4. Grassed sports pitches should also be capable of sustaining the playing of team games by pupils at each school that use those pitches for 7 hours per week during term-time

Table 1: area guidelines for playing field land at maintained schools and academies (KS=Key Stage)

	KS1: mainstream schools and academies	KS2: mainstream schools and academies	KS3-KS4 & post 16: mainstream schools and academies	KS1 Special Schools (including academies)	KS2–KS4, post 16 & Special Schools (including academies)
Number of pupils (105% of existing capacity or 100% of future capacity 5 academic years from application date. NB The need is to be based on the <u>higher</u> figure.	90 x 1.05 = 95	120 x 1.05 = 126	1,000 (current capacity) x 1.05 = 1,050 but 1,600 projected pupil numbers = 1,600 So, use 1,600	120	250
Base area	2,000 m²	2,000 m²	9,000 m²	2,000 m²	2,000 m²
Area per pupil	11 m²	50 m²	50 m²	11 m²	50 m²
Base area	2,000 m ²	2,000 m ²	9,000 m ²	2,000 m ²	2,000 m ²
Pupil area	(95 x 11) = 1,045 m ²	(126 x 50) = 6,300 m ²	(1,600 x 50) = 80,000 m ²	(120 x 11) = 1,320 m ²	(250 x 50) = 12,500 m ²
Total recommended area required	2,000 m ² <u>1,045 m²</u> 3,045 m ²	2,000 m ² <u>8,300</u> m ² 8,300 m ²	=9,000 m ² <u>80,000 m²</u> 89,000 m ²	2,000 m ² <u>1,320 m²</u> 3,320 m ²	=2,000 m ² <u>12,500 m²</u> 14,500 m ²
Hectares	= 0.30 Ha	= 0.83 Ha =	= 8.9 Ha	= 0.33 Ha	= 1.45 Ha
Acres	= 0.75 acres	2.03 acres	= 21.98 acres	= 0.82 acres	= 3.58 acres

Table 2: stage, age and year group

Stage	Age	Year group
Early Years Foundation Stage	Ages 3 to 5	Nursery and reception
Key stage 1	Ages 5 to 7	Years 1 and 2
Key stage 2	Ages 7 to 11	Years 3, 4, 5 and 6
Key stage 3	Ages 11 to 14	Years 7, 8 and 9
Key stage 4	Ages 14 to 16	Years 10 and 11
Post-16	Ages 16 to 18	Years 12 and 13

Annex D: playing field consultation guidelines

1. Any applicant proposing to dispose of playing field land must consult adequately. The Secretary of State expects the consultation period to be no less than 6 weeks, 4 of which should be in term time. In all cases, you will need to provide evidence of the means of consultation and the results before any application will be assessed.

2. The Secretary of State expects consultation to be open and transparent. This means you should have consulted relevant stakeholders on any proposal before requesting consent to dispose of any land defined as playing fields.

3. Consultation is to be within one year of any application for consent to dispose of the land, so it reflects the up to date views of local people. Evidence will be expected to be provided of the results of consultation with:

- the headteacher
- the chair of the governing body, (evidence of the decision of the governing body or academy trust will be required as part of your application)
- parents of pupils attending the school or academy
- any group or organisation with permission to use the playing field
- the local community generally
- any minor authority in whose area the playing field is situated
- the local authority in whose area the playing field is situated and adjacent local authorities likely to be affected
- any publicly funded primary schools and special schools within a half-mile radius and secondary schools within a mile radius of the playing field if their current playing field provision falls below the minimum area recommended in the guidelines.

4. Possible methods of consulting include use of the local press, direct contact with parties such as staff, pupils and parents, other local maintained schools and academies and the local authorities and inviting the public to a meeting. The results of the consultation should be summarised where required by the EFA.

Annex E: General Consent Orders

1. The Secretary of State has agreed that some types of disposal fall within the type where she would routinely expect to grant consent. Accordingly, she has agreed General Consent Orders (GCOs) which provide a blanket consent in these cases. These are only available to those who require consent under s.77 of the School Standards and Framework Act, 1998 and Schedule 1 of the Academies Act 2010. These are: local authorities and academies holding their land under a lease from the local authority, governing bodies and foundation trusts. The applicant is to notify the EFA that they consider a specific GCO applies. If you would like to notify the EFA that a GCO applies, this is to be done using the EFA's online notification and application process. The EFA has sought to mirror the simple requirements that apply to GCOs to applications for consent to those who do not fall under s77 so it is no more burdensome for academies owning the freehold of their land.
2. There are currently three General Consent Orders:
 - 2.1. The School Playing Fields General Disposal and Change of Use Consent (No 5) 2014. This applies only to the changes of use falling into one of the ten types set out in the Schedule to that General Consent Order.
 - 2.2. The Academies General Disposal and Appropriation Consent (No 2) 2012. This applies only to land to which sub-paragraph 4(2) of 6(20 of Schedule 1 of the Academies Act, 2010 applies, where the disposal or appropriation is of one of the five types specified in the Schedule to the General Consent Order.
 - 2.3. The General Consent or Disposal of Playing Fields by Restriction 2011. This applies only to entering a Restriction where circumstances where a grant has been awarded for the purposes of upgrading the playing fields (or facilities on them).
3. Each of the GCOs is provided in Annexes F-H below.

Annex F: General Consents: Section 77 School Standards and Framework Act 1998

The School Playing Fields General Disposal and Change of Use Consent (No 5) 2014

1. The Secretary of State for Education, in exercise of the powers conferred on her by section 77 (5) of the School Standards and Framework Act 1998, hereby grants the following consent.
2. This consent comes into force on 1 October 2014 and may be cited as “The School Playing Fields General Disposal and Change of Use Consent (No 5) 2014”.
3. In this consent:
 - ‘the 1998 Act’ means the School Standards and Framework Act 1998
 - ‘change of use’ means a change of use falling within section 77(3) of the 1998 Act
 - ‘playing fields’ has the same meaning as in section 77(7) of the 1998 Act
4. Consent is hereby granted to the disposal or change of use of playing fields to which section 77(1) or (3) of the 1998 Act applies, where the disposal or change of use is of a description specified in the Schedule.
5. This consent is granted subject to the condition that body disposing or changing the use of the playing field provides the Secretary of State with:
 - a) details of the location and area (in square metres) of the playing fields to be disposed of or have their use changed
 - b) the area (in square metres); of the remaining playing field land
 - c) detail of the total site area of the school (in square metres)
 - d) details of the number of pupils on the school’s roll
 - e) the date or proposed date of the disposal or change of use
 - f) an explanation as to why the body thinks that the disposal or the change of use is covered by a class consent
 - g) a plan clearly showing the area in question in relation to the whole of the school site
 - h) where the disposal or change of use is at an operating school, the views of the head teacher and governing body.

6. The School Playing Fields General Disposal and Change of Use Consent (No.4) 2012 (as amended) is hereby revoked.



.....Department for Education Dated..... 1/10/19.....

Schedule

1. The disposal of hard play areas and enclosed social areas and other ancillary social and recreation or habitat areas that surround the buildings at closed or closing school sites provided that either:

- a) no other schools share or border the site
- b) the body seeking to dispose of the land can satisfy the Secretary of State that the areas in question are not needed by any other schools which share or border the site

'Hard play area' means incidental recreation area with tarmac, concrete or paved surface. It does not include areas provided mainly for any type of sport.

'Enclosed social area' means social areas, not used for any type of sport, which are enclosed on at least 3 sides by school buildings.

2. The grant of an easement and/or a way leave over playing fields where such land is required for the purpose of constructing, maintaining or servicing a highway, or for health and safety requirements or enabling provision of gas, water or electricity.

3. Temporary disposal or change of use of a school playing field provided that:

- a) the lease or temporary change of use is for no longer than 3 school terms;
- b) the Secretary of State is satisfied that the school is still able to carry out the curriculum to at least the same extent
- c) the land is returned to at least the same condition that it was beforehand

4. The disposal of an area of land less than 50m², where such land is required for purposes of constructing, maintaining or servicing a highway, or for health and safety requirements or enabling provision of gas, water or electricity.

5. The disposal of playing fields to an organisation which does not have the principal purpose of making a profit from commercial sports schemes when the following conditions are met:

- a) the terms of the disposal agreement provide that any school or community user group using the playing fields in the 6 months immediately before the transfer may continue to do so for at least 10 years following the date of the disposal, during which time they will have access to the playing fields for at least the same periods and on the same, or more favourable, terms as they did before the disposal; and either
- b) the constitution of the receiving organisation obliges that organisation to maintain them as playing fields; or
- c) the terms of the disposal agreement require that organisation to maintain them as playing fields for at least 10 years from the date of disposal; or
- d) the disposal is to a local authority and the receiving authority has given an undertaking that the playing fields will continue to be used as school/community playing fields for at least 10 years from the date of disposal

6. A disposal which involves the granting of a leasehold interest in the whole school site, including the playing fields to facilitate an agreement under a Private Finance Initiative, provided there is no net loss of school playing fields.

7. The disposal or change of use of playing fields (“the original playing fields”) where, upon that disposal or change of use, any school which used the original playing fields in the 6 months immediately before the disposal will have made available to it newly created, alternative playing fields, provided that all of the following requirements are met:

- a) the replacement playing fields are of at least the same area as the original playing fields
- b) the replacement playing fields are capable of sustaining 7 hours use a week per school that will have use of those playing fields
- c) the replacement playing fields are immediately available to any schools which used the original playing fields on the same, or more favourable terms as the original fields had been
- d) the replacement playing fields have the same or better standards of facilities as the original playing fields
- e) the location of the replacement playing fields is such that the schools using them are able to carry out the curriculum to at least the same extent as they were on the original playing fields
- f) there is no reduction in the amount or type of sports provision currently available to the schools who used the original playing fields

8. The disposal of playing fields where they are not a school's own provision of playing fields but fall within Section 77 only by reason of a school's temporary or occasional use of them.

9. 'School's temporary use' means use as a school's main playing fields for a maximum of 3 school terms in the last 10 years or use only whilst the school's own playing fields could not be used by the school for reasons outside the school's or local authority's control.

10. 'School's occasional use' means either an infrequent and informal use without prior agreement, or a formal use but only by specific pupils or for a set purpose on an infrequent basis.

11. The change of use of playing field land to allow the reconfiguration of school sites, where the following conditions are satisfied:

- after the project is completed the school will have at least the same size and quality of playing field land as it had before - there must be no net loss
- there is no disposal of school playing field land
- the local authority and/or school ensures that the requirements of the School Premises Regulations 2012 continue to be met

12. The disposal of an interest in land in favour of a person for the purposes of an academy for no [or nominal] consideration where an Academy Order has effect in respect of a maintained school which uses the land and the school is to be an academy.

Annex G: General Consents: Schedule 1 Academies Act 2010

The Academies General Disposal and Appropriation Consent (No 2) 2012

1. The Secretary of State for Education, in exercise of the powers conferred on him by Schedule 1 to the Academies Act 2010, hereby grants the following consent.
2. This consent comes into force on 31 October 2012 and may be cited as “The Academies General Disposal and Appropriation Consent (No 2) 2012”.
3. In this consent:
 - ‘the 2010 Act’ means the Academies Act 2010
 - ‘appropriation’ means an appropriation of land under section 122 of the Local Government Act 1972
 - ‘a disposal’ includes entering into a contract to make a disposal or granting an option to make an acquisition
4. Consent is hereby granted to the disposal or the appropriation of a freehold or leasehold interest in land to which sub-paragraph 4(2) or 6(2) of Schedule 1 of the 2010 Act applies, where the disposal or appropriation is of a description specified in the Schedule.
5. This consent is granted subject to the condition that the local authority disposing of or appropriating the land provides the Secretary of State with:
 - a) details of the location and area (in square metres) of the land to be disposed of or appropriated; and
 - b) details of the total site area (in square metres) of the school or former school; and
 - c) the date (or the proposed date) of the disposal or appropriation; and
 - d) an explanation as to why the local authority thinks that the disposal or the appropriation is covered by a general consent

Signed



on behalf of the Secretary of State

Dated 2012

Schedule

6. The disposal of an interest in land in favour of a person for the purposes of an academy for no [or nominal] consideration where an Academy Order has effect in respect of a maintained school which uses the land and the school is to be an academy (including free schools, studio schools and university technical colleges).
7. The disposal in respect of land consists of a grant of a lease to facilitate an agreement under the Private Finance Initiative or a Public Private Partnership.
8. The disposal or appropriation of an area of land [which is part of a single school estate or land title] less than 250 square metres provided that the following qualifications are met:
- a) the disposal or appropriation is not part of a disposal or appropriation of a larger area of land;
 - b) the land to be disposed of or appropriated does not, taken together with any areas of land in which the local authority holds a leasehold or freehold interest which have been disposed of in the last 5 years, form a combined area of 250 square metres or more; and
 - c) the land to be disposed of or appropriated does not constitute an access to an area of land in which the local authority have a leasehold or freehold interest and which consists of an area of 250 square metres or more
9. For the avoidance of doubt, any disposal of an interest in land by a local authority in order to fulfil its statutory duty; for example, under paragraph 9 of Schedule 3 to the School Standards and Framework 1998 Act to transfer to an existing voluntary aided school any premises which it is providing for that school to use by way of assistance.
10. The disposal of an area of land less than 50 square metres where such land is required for purposes of constructing, maintaining, or servicing a highway, or for health and safety requirements or enabling provision of gas, water or electricity.

Annex H: General Consent for disposal of school playing fields by restriction

In the exercise of his powers under section 77(5) of the School Standards and Framework Act 1998, the Secretary of State for Education gives the following consent.

This consent may be cited as the General Consent of Disposal of Playing Fields by Restriction 2011 and comes into force on 22 August 2011.

In this consent:

- “the Act” means the School Standards and Framework Act 1998
- “person” includes a body of person corporate or unincorporated
- “restriction” means Restriction in the Register of Title kept by the Chief Land Registrar in accordance with the Land Registration Act 2002

Consent is given in relation to the disposal of any playing fields to which section 77(1) of the Act applies, where the disposal consists only of a person entering a Restriction in relation to the playing fields (to apply to any subsequent disposal of them), in circumstances where that person has awarded a grant for purpose of upgrading the playing fields (or facilities thereon).

This consent is given subject to the following conditions.

1. Prior to the disposal, the body (or trustees) disposing of the playing fields provides the Secretary of State with:
 - a) the name and address of the school and the address of the playing fields to be disposed of (if different);
 - b) a plan of the site on which the playing fields are situated;
 - c) the proposed date of the disposal;
 - d) the reason for the disposal;
 - e) the wording of the proposed Restriction;
 - f) a copy of the undertaking referred to below
2. Prior to the disposal, the person entering the Restriction provides the body (or trustees) disposing of the playing fields with a written undertaking that they will not withhold consent to a subsequent disposal of the playing fields to another maintained school or an academy, where the governing body (or trustees) of that maintained school or the proprietor of that academy agree in writing:

- a) that the playing fields will continue to be used by that maintained school or academy as playing fields in accordance with the conditions of the grant, failing which they will repay the grant; and
- b) to the entering of a Restriction, in the same terms as the original Restriction, to apply to any subsequent disposal of the playing fields.

Signed:



GRAVE CUN LITTE

Deputy Director, Central Capital Unit

Department for Education

Date: 22nd August 2011

Further information

Other relevant departmental advice and statutory guidance

- [Glossary and terminology](#)
- [Property Information Notes and forms](#)
- [2015 advice on standards for school premises](#)
- [Academies Act 2010](#)
- [School Standards and Framework Act 1998](#)
- [Education Act 2011](#)
- [General Consent Orders 2011, 2012 and 2014](#)
- [Education \(Independent Schools Standards\) England \(Amendment\) Regulations 2012](#)

Useful resources and external organisations

- HMT: [Managing Public Money](#)
- HMT: [Consolidated Budgeting Guidance](#)



Department
for Education

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Comment

Consultee	Dr Angela Salter (1190873)
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Event Name	Purbeck Local Plan Pre-submission Draft
Comment by	Dr Angela Salter (1190873)
Comment ID	PLPP220
Response Date	01/12/18 22:36
Consultation Point	Policy I2: Improving accessibility and transport (View)
Status	Processed
Submission Type	Web
Version	0.1
Files	Wareham Railway Station Advice Dec 17
Are you responding on behalf of a group?	No
Please tick the box(es) if you would like to be notified at an address/email address of the following:	
Which policy / paragraph number / policies map does your comment relate to?	12
Do you consider that the Local Plan is legally compliant?	Yes
Do you consider that the Local Plan is sound?	No
Do you consider that the Local Plan complies with the duty to co-operate?	No

Please give details of why you consider this part of the Local Plan is / is not legally compliant, sound or fails to comply with the duty to co-operate. (Please be as precise as possible)

There is no mention of the pedestrian railway crossing at Wareham . This needs to be maintained and continued as a level crossing allowing people especially elderly and disabled including wheel chair users level access across the railway to enable access from Northmoor to the town and further houses should not be built north of the crossing until this issue is resolved satisfactorily.

Having regard to your previous comments, please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound. You will need to say why this change will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording for any policy or text and where appropriate provide evidence necessary to support / justify the representation. (Please be as precise as possible)

There is no mention of the pedestrian railway crossing at Wareham . This needs to be maintained and continued as a level crossing allowing people especially elderly and disabled including wheel chair users level access across the railway to enable access from Northmoor to the town and further houses should not be built north of the crossing until this issue is resolved satisfactorily.

If you have any supporting documents please upload them here. Wareham Railway Station Advice Dec 17
Wareham Railway Station Advice Dec 17

(Please note that the Planning Inspector will make the final decision on who will be invited to attend individual sessions at the examination, although all members of the public may observe the proceedings)

Only those who have made representations to the Local Plan during the statutory six week pre-submission publication period will be allowed to participate in the public examination.

If your representation is seeking a change to the Local Plan, do you consider it necessary to participate in the oral part of the examination? Yes

If you wish to participate in the oral part of the examination, please outline why you consider it to be necessary?

To ask questions re the above .

IN THE MATTER OF
THE WAREHAM LEVEL CROSSING

ADVICE

Introduction

1. We are asked to advise the Wareham Town Trust on Dorset County Council's ("the Council") and Network Rail's proposals for the Wareham Level Crossing ("the Level Crossing").
2. In particular, we are asked to advise on the following two points:
 - i) Would Network Rail be in breach of its duties under the Equality Act if it decided to close the existing Wareham Level Crossing without there being an alternative?
 - ii) Would the gradient of the ramps proposed by the Council for the proposed ramped crossing be in compliance with their duties under the Equality Act?

The Facts

3. The Level Crossing is a flat pedestrian level crossing over the railway adjacent to Wareham Railway Station. It provides the only step free pedestrian access over the railway to provide a link between the two halves of Wareham; the north half of Wareham is mainly residential and the south half includes the town centre. The Level Crossing is used by more than 1,200 people per day.
4. Since 2009, the Level Crossing has had locking gates and is operated by attendants from a security company. There have never been any accidents at the Level Crossing.
5. Alternative pedestrian access between the north and south of Wareham is provided by Network Rail in the form of a footbridge over the railway ("the

Footbridge"). However, this is not suitable for use by people with restricted mobility, wheelchairs and scooters and people with prams.

6. The Level Crossing is provided for by a lease between the Council and Network Rail, dated 1988, by which Network Rail grants permissive rights to cross the railway ("**the 1988 Lease**"). The Council renewed this agreement in 2013, so that these rights currently will extend to 2038. Network Rail has stated that it is not prepared to renew this agreement past 2038 due to the safety risk of the Level Crossing.
7. Network Rail and the Council have been trying to find a long-term solution to this crossing at the railway.
8. In August 2013, Purbeck District Council ("**the District Council**") approved a planning application submitted by Network Rail for ramped access to the existing Footbridge ("**the 2013 Application**"). However, it was not possible to find a manufacturer to construct the approved design.
9. In September 2015, the District Council refused a second planning application submitted by Network Rail, which proposed an amended design to the ramped access to the Footbridge ("**the 2015 Application**").
10. On 24 February 2016, a report was presented to the Dorset County Council Cabinet ("**the Cabinet**") to consider the future of the Level Crossing ("**the February 2016 Cabinet Report**"). A decision was deferred to allow further options to be explored.
11. On 26 October 2016, a further report was presented to Cabinet ("**the October 2016 Cabinet Report**"). Several options for alternatives to the Level Crossing were considered. It was recommended that the preferred option was that the Council should proceed with a proposal for ramps, at a constant gradient of 1 : 12 with a series of horizontal resting platforms, to attach to the Footbridge ("**the Ramps Proposal**").

12. The Council carried out an Equalities Impact Assessment, dated 28 September 2017, on the closure of the Level Crossing and the provision of the Ramps Proposal as an alternative (“**the EqIA**”).
13. The Council has now submitted a planning application for the Ramps Proposal (ref 6/2017/0639), which includes a Planning Statement. It is proposed that once the Ramps Proposal is constructed, the Level Crossing will be closed. The Council has also submitted a listed building application. These applications have not yet been determined.
14. In a letter dated 10 August 2017, Network Rail has stated the following:

“Network Rail’s funding contribution to the Wareham ramp project expires in March 2019. If the planning application is refused for the Council’s proposal to install access ramps, the level crossing will be closed upon the expiry of the 1988 agreement. An alternative crossing point will not be provided.”

Legal Analysis

Would Network Rail be in breach of its duties under the Equality Act if it decided to close the existing Wareham Level Crossing without there being an alternative?

15. Section 149 of the Equality Act 2010 (“**the Equality Act**”), otherwise known as the “public sector equality duty”, states relevantly as follows:

“(1) A public authority must, in the exercise of its functions, have due regard to the need to—

 - (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;*
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;*
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.”*

16. In *R (on the application of Buckinghamshire CC) v Secretary of State for Transport* [2013] EWCA Civ 920, the Court of Appeal emphasised two points with regard to the public sector equality duty:

“(i) “Due regard” means the regard that is appropriate in all the particular circumstances in which the public authority is carrying out its function as a public authority. There must be a proper regard for all the statutory goals, in the context of the function that is being exercised at the time by the public authority. At the same time the public authority must also pay regard to any countervailing factors (eg economic factors) which, in the context of the function being exercised, it is proper and reasonable for the public authority to consider: see in particular *Brown's case*, para 82. (ii) The duty to have due regard must be fulfilled before or at the time when a particular policy that will or might affect persons with a protected characteristic is being considered by the public authority in question. Attempts to justify a decision as being consistent with the exercise of the duty when it was not, in fact, considered before the decision was made are not enough to discharge the duty.”

17. Section 150(1) of the Equality Act provides that a “public authority” is a person who is specified in Schedule 19 of the Equality Act. Schedule 19 lists “Network Rail Limited” as a public authority.

18. It is noted that there has been debate in the case law, in contexts other than the public sector equality duty, as to whether Network Rail (or previously, the British Railways Board) is a “public authority” and whether it performs “public functions” (see, for example, *Cameron v Network Rail Infrastructure Limited* [2007] 1 WLR 163).

19. However, it is likely that this previous case law is not relevant here. This is because section 150(3) of the Equality Act provides that a public authority specified in Schedule 19 is subject to the public sector equality duty in relation to the exercise of *all* its functions, unless it has been specified only in respect of *certain* public functions. Unlike other bodies listed in Schedule 19 (for example, the General Medical Council, which is listed in Schedule 19 as: “*The General*

Medical Council, in respect of its public functions”), Network Rail is not limited by reference to certain functions. It follows that the logical reading of the statutory language is that Network Rail is subject to the public sector equality duty in respect of *all* its functions.

20. The present case concerns Network Rail’s function in providing or failing to provide pedestrian crossings over the railway. It is highly likely that a court would find that if Network Rail allowed the Level Crossing to close, and refused to provide an alternative step free access, this would be contrary to the public sector equality duty.
21. This is largely because it has been accepted by the Council and Network Rail, on numerous occasions, that the failure to provide alternative step free access, once the Level Crossing is closed, would discriminate against those with protected characteristics:
 - 21.1. Network Rail made the 2013 Application and the 2015 Application for the provision of alternative step free access across the railway in 2013 and 2015, even though they were not contractually bound to do so. This implies an acceptance by Network Rail that alternative step free access must be provided if the Level Crossing is shut.
 - 21.2. In the February 2016 Cabinet Report, the Council considered the closing of the Level Crossing without providing an alternative in the following terms:

“2.3.2 With half of Wareham’s residences to the north of the railway, then closure of the level crossing without an alternative will severely disadvantage a significant number of people as there are no footways on the adjacent A351 over bridge there will be no safe walking route for anybody other than the existing listed stepped footbridge that cannot be used by people with restricted mobility, wheelchairs and scooters, pram/pushchairs...”
 - 21.3. Similarly, the October 2016 Cabinet Report stated that:

“A simple closure of the pedestrian level crossing without any mitigating measures would negatively impact on those with protected characteristics...as the only available crossing point over the rails would be the stepped footbridge.”

- 21.4. The EqIA concluded that the closure of the Level Crossing will have a negative impact on users with protected characteristics, including disability, age, pregnancy and maternity and religion, and therefore is it *“deemed necessary that a new form of step free access is designed and constructed.”*
22. However, there is *currently* no evidence that Network Rail has had due regard to the public sector equality duty in this context, or shown that it is conscious of these particular effects that the closure of the Level Crossing without providing alternative step free access is likely to have on people with protected characteristics; and conscious that due weight should be given to these effects in the decisions that have to be made.
23. Accordingly, if Network Rail close the Level Crossing when the 1988 Lease expires (at the moment it seems that the 1988 Lease will expire in 2038) or close the Level Crossing at an earlier point in time, and refuse to provide alternative step free access, while still failing to have due regard the effects on those with protected characteristics, it is highly likely that a court would find that Network Rail have acted unreasonably and contrary to their duties under the Equality Act.

ii) Would the gradient of the ramps proposed by the Council for the proposed ramped crossing be in compliance with their duties under the Equality Act?

24. The Council, as a *“public authority”*, is clearly also subject to the public sector equality duty. The issue here is whether approval and construction of the Ramps Proposal, which proposes a constant ramp gradient of 1 : 12 and a series of horizontal landings, would be compliant with the public sector equality duty.
25. Currently, the Council’s main justification for the 1 : 12 gradient is contained in the EqIA. Thus, our analysis here is based on the reasoning set out in the EqIA;

if the Ramps Proposal is granted planning permission, consideration would have to be given to the reasoning in any officer's report, committee minutes or decision notice.

26. In the EqIA, the Council are clearly conscious of the public sector equality duty. The Council also relies on both the Design Manual for Roads and Bridges ("**the DMRB**") and the Department for Transport guidance on Design Standards for Accessible Railway Stations ("**the DFT Guidance**"), which both do state that a ramp of 1 : 12 is acceptable in certain circumstances.
27. However, there are strong arguments that the reasoning in the EqIA is not sufficient to comply with the public sector equality duty and does not address all material considerations:
 - 27.1. The EqIA finds that a ramp of gradient 1 : 12 is acceptable for users with pushchairs, and those with mobility scooters and assisted wheelchairs. However, it states that for "*manual wheelchair users who travel without assistance, it is unknown if the ramps will provide a suitable form of step free access. Evidence and literature reviewed is inconclusive.*" In the context of the DFT Guidance stating that "*Ramps steeper than 1 : 20 can be difficult for some people who propel their wheelchair themselves*", there is a good argument that the current reasoning in the EqIA here does not show due regard to the effect on unassisted wheelchair users.
 - 27.2. The 2015 Application (which was eventually refused permission by the District Council) involved a ramp of 1 : 20 gradient. The case officer's report for the 2015 Application considered that even though this resulted in longer ramps, this was the gradient "*necessary...in order to achieve Equality Act (2010) compliance and ensure that it caters for all users*"; there was no suggestion that steeper, shorter ramps could be used and it is reasonable to imply that the officer did not consider steeper, shorter ramps to be Equality Act compliant. It follows that it is reasonable to expect the Council to explain why it now considers that a gradient of 1 : 12 is Equality Act compliant.

- 27.3. The DFT Guidance provides that ramps of 1 : 12 gradient “*should not be longer than 2 metres.*” The ramps in the Ramps Proposal are longer than 2 metres, and this is a point which has not been addressed in the EqIA.
- 27.4. The DMRB says that a 1 : 12 gradient can only be used in cases of “*extreme difficulty*” and the DFT Guidance says that such a gradient can only be used where it is “*unavoidable*”. It is reasonable to argue that the Council has not satisfied these high thresholds; in particular given that the ramps in the 2013 and 2015 Applications both used a 1 : 20 gradient.
28. Accordingly, there are strong arguments that the EqIA fails to consider certain material considerations and does not sufficiently show that the 1 : 12 gradient is compliant with the Equality Act, especially in relation to due regard being given to the effect on unassisted wheelchair users.

Conclusion

29. In conclusion, the Wareham Town Trust are right to be concerned about a breach of the Equality Act if the Level Crossing is shut without the provision of alternative step free access over the railway.
30. They are also right to be concerned that the proposal for ramps of a 1 : 12 gradient in the current Ramps Proposal has not been sufficiently justified in the EqIA.
31. Accordingly, it would be appropriate for the Wareham Town Trust to show this advice to Network Rail and the Council to put them on notice of their potential failings to comply with the public sector equality duty.
32. If there are any queries arising from the advice contained herein then do not hesitate to contact us in Chambers.

13 December 2017.

SASHA WHITE Q.C.

ANJOLI FOSTER

1839

LANDMARK CHAMBERS

180 FLEET STREET

LONDON

EC4A 2HG.

Comment

Consultee	Mr Henry Scott (1189867)
Email Address	[REDACTED]
Company / Organisation	Scott Estate
Address	The Trustees of D E Scott 1970 Settlement The Scott Estate Office Wareham BH20 5LW
Event Name	Purbeck Local Plan Pre-submission Draft
Comment by	Scott Estate (Mr Henry Scott - 1189867)
Comment ID	PLPP318
Response Date	03/12/18 12:06
Consultation Point	Policy H8: Small sites next to existing settlements (View)
Status	Processed
Submission Type	Web
Version	0.1
Files	Merged pdf submission (with cover letter)
Are you responding on behalf of a group?	No
Please tick the box(es) if you would like to be notified at an address/email address of the following:	
Which policy / paragraph number / policies map does your comment relate to?	H8
Do you consider that the Local Plan is legally compliant?	Yes
Do you consider that the Local Plan is sound?	Yes
Do you consider that the Local Plan complies with the duty to co-operate?	Yes

Please give details of why you consider this part of the Local Plan is / is not legally compliant, sound or fails to comply with the duty to co-operate. (Please be as precise as possible)

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(Please note that the Planning Inspector will make the final decision on who will be invited to attend individual sessions at the examination, although all members of the public may observe the proceedings)

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If your representation is seeking a change to the Local Plan, do you consider it necessary to participate in the oral part of the examination? No

3 December 2018

Purbeck District Council
Westport House
Worgret Road
Wareham
BH20 4PP

Henry Scott

The Scott Estate Office
Kingston
Wareham
Dorset
BH20 5LQ

Dear Sir/Madam,

PURBECK PRE-SUBMISSION LOCAL PLAN CONSULTATION

Please find attached a completed paper copy of your online consultation form, which I submitted today. This submission is made on behalf of the Trustees of the DE Scott 1970 Settlement.

To elaborate on our supportive online comments, I attach an appendix showing supportive information contained in the Council's January 2018 SHLAA regarding Prospect Smallholding, on the edge of Swanage, together with the representation we made on the New Homes for Purbeck consultation earlier in the year, regarding the emerging Small Sites policy.

The New Homes for Purbeck representation supports the Small Sites policy, albeit querying whether in fact some of these sites could actually be allocations, aiding certainty and delivery prospects. They also highlight supportive comments made by the Council about the Prospect Smallholding site in the SHLAA, and offer up further land in the vicinity of that site which could potentially provide a more viably sized housing site. (Site plan of Prospect Smallholding also attached). In relation to access for this site, there are three possible routes to the site:

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Yours sincerely,

Henry Scott

Prospect Smallholding, Swanage



(Red) – 2018 SHLAA allocation

(Blue) – Remainder of Prospect Smallholding





Grayseeds Farm, Swanage



Report submitted in support of representations on the
Swanage Local Plan (2012- 2027)

Area 6-Grayseeds Farm

March 2014



Contents

1	Introduction.....	3
2	The site and surroundings.....	3
3	Flood risk.....	4
4	Transport, access and sustainability.....	4
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1 Introduction

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- 1.2 This report provides a review of the site and its surroundings, setting out the site context and highlighting the potential of the site to make an important contribution to meeting the future growth for Swanage.

2 The site and surroundings

- 2.1 The site is located south of the A351, on the western edge of Swanage. The site is identified in the Swanage Local Plan Consultation document, as Area 6- Grayseeds Farm.
- 2.2 Located on the western edge of the town, the site comprises a small area of land, which is approximately 0.6ha. The site is bordered to the west by hedgerows, a field and residential development fronting onto the A351, and to the east by hedgerows and existing residential development at Herston. South of the site are agricultural fields and an area of woodland. To the north the site is bounded by the A351 (High Street) and agricultural land beyond.
- 2.3 Figure 1: Site Context and Planning Designations provides an analysis of the site's context and constraints. The site contains a number of farm buildings in varying states of repair. The site sits on a slope that rises from north to south, but is visually contained by the existing hedgerow boundaries and adjoining development. The site is free from physical and environmental constraints other than being within the Dorset Area of Outstanding Natural Beauty (AONB).
- 2.4 The location of the site with mature hedgerows, nearby areas of woodland, and existing residential development to the east and west, is such that it is well screened by topography and vegetation from local views from Swanage and the outlying settlements of Langton Matravers.
- 2.5 The retention of existing vegetation, supplemented by additional strategic planting where appropriate, would reduce impacts on the wider landscape and provide a well contained and clearly defined extension to Swanage and should therefore be included within the Swanage Local Plan proposed settlement boundary and allocated for small-scale housing development.



3 Flood risk

- 3.1 The site is not at risk from flooding, as indicated on the Environment Agency Flood Risk Map. An appropriate drainage strategy will be formulated and implemented as the proposals are progressed in order to ensure that there is no increase in flood risk elsewhere as a result of the development, and to reduce off-site flood risk where possible.

4 Transport, access and sustainability

- 4.1 The site is within a 2km distance of Swanage town centre, which has a wide variety of shops, services and facilities likely to be used on a regular basis by new residents. These would be accessible by walking or cycling.

The following services and facilities are located nearby within walking or cycling of the site:

- Shops, banks, Post Office and local supermarkets (Budgens and Co-operative)
- Doctors Surgery
- Dentist Surgery
- Library
- The Swanage School
- Bus services along the A351
- Pubs, hotels and restaurants
- Swanage Pier
- Range of attractions including cinema, museum, art galleries, seasonal tourist attractions
- Parks and gardens
- Sports facilities at the Swanage School
- Swimming Poole at Swanage Bay View Holiday Park

- 4.2 A variety of local facilities, including a new primary school at Langton Matravers is also present approximately within 1.2km to the west of the site.
- 4.3 The nearest bus stop is outside the Swanage School adjacent to the site, which provides good public transport links to the town and other town centres, including Wareham and Poole.
- 4.4 The site fronts onto the High Street (A351), from which the principal vehicular access is proposed.
- 4.5 The site has good access to the local network of public rights of way. A footpath runs through the site from south to the north.
- 4.6 In transport sustainability terms, the site provides opportunities for the use of existing public transport. In wider sustainability terms, the site is close to local facilities, and also linked with other local service centres.



5 Ecology, archaeology and cultural heritage

- 5.1 The site is not subject to any cultural heritage or ecological designations. There are a number of listed buildings west of the site towards Langton Matravers. A Conservation Area abuts part of the sites western boundary. Redevelopment of the existing farm buildings on the site would provide the opportunity to enhance the setting of the conservation area.
- 5.2 The Jurassic Coast is located approximately 2km to the east of the site. Intervening topography and vegetation will ensure that there would be no adverse impact on the setting of the heritage features of the Jurassic Coast.

6 Landscape

- 6.1 The site is located within the Dorset AONB, which extends from Lyme Regis in the west, along the coast to Poole Harbour in the east. The site lies within an area identified as the Clay Valley landscape character type in the Dorset AONB Landscape Character Assessment 2008. Management guidelines for this area include;
- Encourage small scale broadleaved planting around existing settlements and farmstead to reduce visual impact of intrusive developments.
 - Encourage the use of native planting in any landscape scheme associated with new development.
 - Encourage maintenance and restoration of boundaries, particularly dense hedgerows and banks along the valley floors and stonewalls towards the higher ground.
 - Maintain and enhance the sweeping views of the coast.
- 6.2 The southern part of the site is defined as being within the area of Policy LHH Purbeck Heritage Coast. The purpose of the policy is to:
- Conserve, protect and enhance the natural beauty of the coasts, their marine flora and fauna, and their heritage features.
 - Facilitate and enhance their enjoyment, understanding and appreciation by the public.
 - Maintain and improve the health of inshore waters affecting Heritage Coasts and their beaches through appropriate environmental management measures.
 - Take account of the needs of agriculture, forestry and fishing, and of the economic and social needs of the small communities on these coasts
- 6.3 The site would not adversely impact the Heritage Coast. The pattern of adjoining built-up development combined with the nature of the topography and the surrounding network of hedgerows and woodland would limit local views of the site. Redevelopment of existing farm buildings would offer the potential to improve the appearance of this edge of the town.
- 6.4 Strategic planting and the enhancement of the existing green corridors/ hedgerow network combined with careful design will help to ensure that the site is screened from views from surrounding views and help to conserve, protect and enhance the nature of the Heritage Coast.



7 Development Concept and Indicative Development Plan

- 7.1 Figure 2: Development Concept illustrates the how the proposals for the site have been developed. The extent of development proposed takes account of the existing building frontages adjoining the site, the existing hedgerows, and the adjoining conservation area. The existing footpath link through the site would be retained.
- 7.2 Figure 3 illustrates the Indicative Development Plan for the site, which has potential to accommodate 10-15 dwellings grouped around a central courtyard and would deliver a significant improvement to the built up edge of the town

8 Summary

- 8.1 The site is suitably and sustainably located to accommodate residential development to meet local needs at a location that is well related to existing services, facilities and public transport. The site is in the ownership of a willing landowner, and represents an available, deliverable and appropriate opportunity for a residential development to meet local needs.
- 8.2 The site would deliver an important contribution to meeting local housing needs by providing a mix of dwelling types and tenures.
- 8.3 Strategic planting and the enhancement of the existing green corridors/hedgerows combined with careful design will help to screen the site from wider views and ensure that it is compatible with the AONB designation, Purbeck heritage coast and adjoining conservation area.
- 8.4 This site therefore represents a sustainable and deliverable opportunity for high quality residential development to meet the future growth needs of Swanage, and should be identified for strategic allocation for new housing in the emerging Swanage Local Plan and subsequently included within the proposed settlement boundary.



Figures

Figure 1: Site Context & Planning designations

Figure 2: Development Concept

Figure 3: Indicative Development Plan

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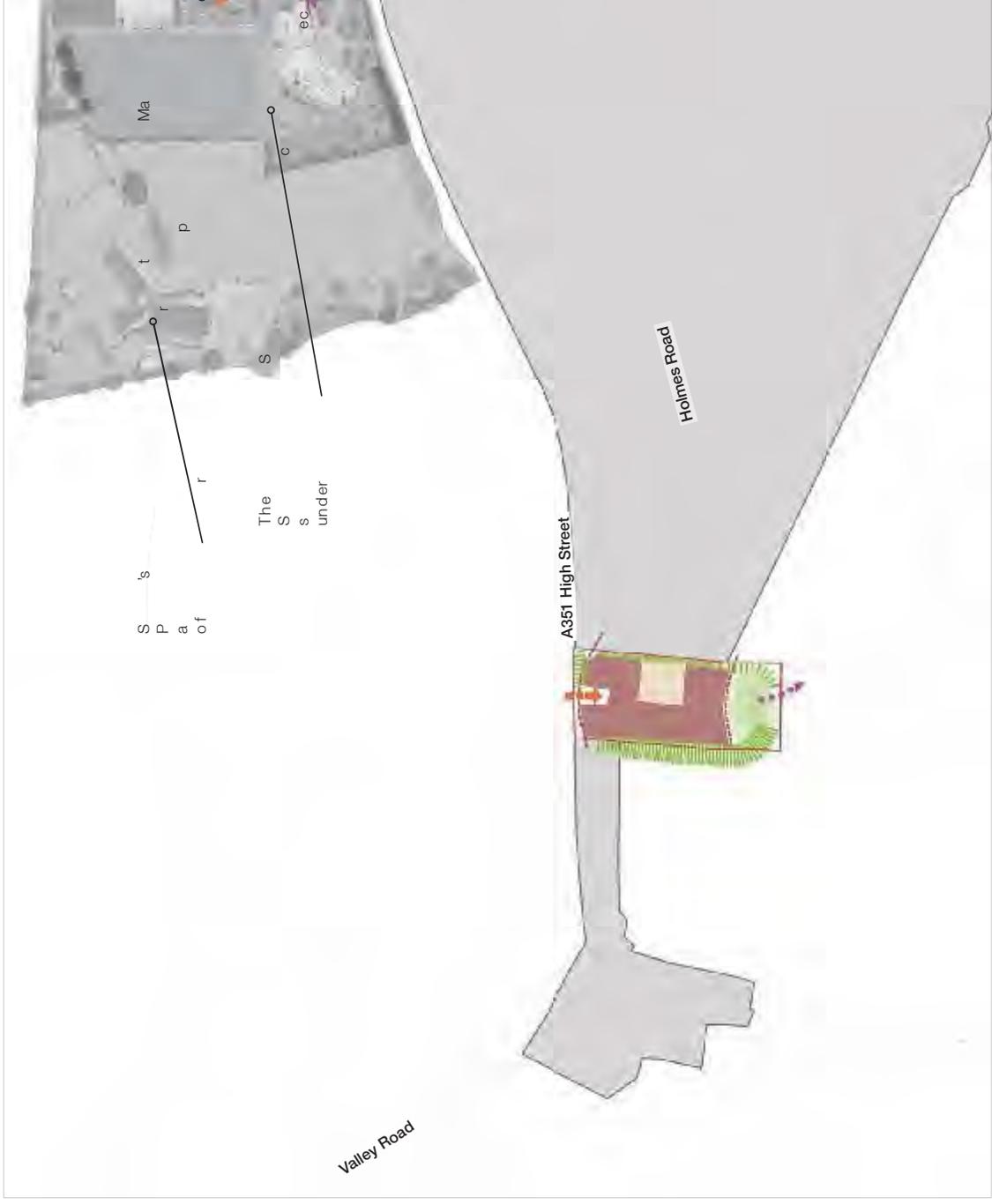
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Appendix

The **January 2018 SHLAA** made the following reference to Prospect Smallholding (SHLAA Ref 6/20/1326):

Potential impacts of development e.g. landscape, neighbour amenity

Neighbouring homes positioned to the east of the site.

No clear existing access into site.

Impact on landscape character: the Council re-appraised the suitability of the site after an assessment completed by its Senior Landscape Architect indicated that a larger parcel of land

along this side of Swanage might have capacity for development. The Council has subsequently

reduced the size of this parcel which was: not available or at risk from flooding. The remaining

site includes land previously promoted through the SHLAA. The Council initially received guidance from the AONB Team that development on this site would have harmful impacts on the

suggests that the potentially harmful impacts of development on the character of the surrounding

AONB could be mitigated. The Council has also noted that an adjacent site (SHLAA reference

6/20/1332) has been excluded because of the impacts of development on landscape character.

The Council will re-assess the suitability of this site in the next version of its SHLAA taking account of the Senior Landscape Architect's assessment.

Ideas of how to overcome barriers

Subject to suitable layout / design / scale, new homes could be accommodated at the site without harming the amenity of neighbouring homes east.

Access: with the consent of third parties it may be possible to form new access into the site from

Cauldron Barn Road.

To mitigate impact on landscape character:

- trees should be planted along the western edge of the site;
- layout for development should incorporate landscaping (with tree canopies providing at

least 40% site coverage on maturity); and

- reflective materials should not be used in the design of the new homes.

Market attractiveness for development

This location is likely to be attractive to the market.

Estimated density & build out rate

Lower density to allow for landscaping and to reflect density of existing homes to east.

Approx. appropriate size

Around 0.8ha

Potential homes

Around 20 homes. (in the October 2018 SHLAA this figure has risen to 29)

Overall suitability?

Yes.

Representations on the New Homes for Purbeck consultation:

The Scott Estate supports the small sites policy, but believes that benefit to all concerned could be had by allocating sites suitable for housing delivery via the small sites policy. Small site allocations would ensure greater certainty over their deliverability. SHLAA allocation 6/20/1326 - Land at Prospect Farm Small Holding, Swanage, represents a suitable site to be allocated to meet local housing need. Swanage has existing facilities such as schools, shops, recreational and medical facilities able to accommodate small scale housing growth (SHLAA 2018)

Additionally, should further housing land be required, the Scott Estate owns land parcels adjacent to SHLAA ref 6/20/1326 which are available for development. The council's Senior Landscape Architect commented in the SHLAA 2018 that a larger parcel of land (adjacent to SHLAA ref 6/20/1326) might have capacity for development, and that potentially harmful impacts on the AONB could be mitigated against. Representations regarding these land parcels were made to the HELAA call for sites exercise in November 2017. Development on these larger land parcels could sustainably deliver larger numbers of housing, and if necessary to ensure sustainable development, could be used to locate infrastructure/community requirements.

Comment

Consultee	Mr Henry Scott (1189867)
Email Address	[REDACTED]
Company / Organisation	Scott Estate
Address	The Trustees of D E Scott 1970 Settlement The Scott Estate Office Wareham BH20 5LW
Event Name	Purbeck Local Plan Pre-submission Draft
Comment by	Scott Estate (Mr Henry Scott - 1189867)
Comment ID	PLPP320
Response Date	03/12/18 12:11
Consultation Point	Policy H2: The housing land supply (View)
Status	Processed
Submission Type	Web
Version	0.1
Files	Merged pdf submission (with cover letter) (1)

Are you responding on behalf of a group? No

Please tick the box(es) if you would like to be notified at an address/email address of the following:

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(Red) – 2018 SHLAA allocation

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Grayseeds Farm, Swanage

Google Earth



Report submitted in support of representations on the
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Area 6-Grayseeds Farm

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1	Introduction.....	3
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Figures

Figure 1: Site Context & Planning designations

Figure 2: Development Concept

Figure 3: Indicative Development Plan

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Appendix

The **January 2018 SHLAA** made the following reference to Prospect Smallholding (SHLAA Ref 6/20/1326):

Potential impacts of development e.g. landscape, neighbour amenity

Neighbouring homes positioned to the east of the site.

No clear existing access into site.

Impact on landscape character: the Council re-appraised the suitability of the site after an assessment completed by its Senior Landscape Architect indicated that a larger parcel of land

along this side of Swanage might have capacity for development. The Council has subsequently

reduced the size of this parcel which was: not available or at risk from flooding. The remaining

site includes land previously promoted through the SHLAA. The Council initially received guidance from the AONB Team that development on this site would have harmful impacts on the

suggests that the potentially harmful impacts of development on the character of the surrounding

AONB could be mitigated. The Council has also noted that an adjacent site (SHLAA reference

6/20/1332) has been excluded because of the impacts of development on landscape character.

The Council will re-assess the suitability of this site in the next version of its SHLAA taking account of the Senior Landscape Architect's assessment.

Ideas of how to overcome barriers

Subject to suitable layout / design / scale, new homes could be accommodated at the site without harming the amenity of neighbouring homes east.

Access: with the consent of third parties it may be possible to form new access into the site from

Cauldron Barn Road.

To mitigate impact on landscape character:

- trees should be planted along the western edge of the site;
- layout for development should incorporate landscaping (with tree canopies providing at

least 40% site coverage on maturity); and

- reflective materials should not be used in the design of the new homes.

Market attractiveness for development

This location is likely to be attractive to the market.

Estimated density & build out rate

Lower density to allow for landscaping and to reflect density of existing homes to east.

Approx. appropriate size

Around 0.8ha

Potential homes

Around 20 homes. (in the October 2018 SHLAA this figure has risen to 29)

Overall suitability?

Yes.

Representations on the New Homes for Purbeck consultation:

The Scott Estate supports the small sites policy, but believes that benefit to all concerned could be had by allocating sites suitable for housing delivery via the small sites policy. Small site allocations would ensure greater certainty over their deliverability. SHLAA allocation 6/20/1326 - Land at Prospect Farm Small Holding, Swanage, represents a suitable site to be allocated to meet local housing need. Swanage has existing facilities such as schools, shops, recreational and medical facilities able to accommodate small scale housing growth (SHLAA 2018)

Additionally, should further housing land be required, the Scott Estate owns land parcels adjacent to SHLAA ref 6/20/1326 which are available for development. The council's Senior Landscape Architect commented in the SHLAA 2018 that a larger parcel of land (adjacent to SHLAA ref 6/20/1326) might have capacity for development, and that potentially harmful impacts on the AONB could be mitigated against. Representations regarding these land parcels were made to the HELAA call for sites exercise in November 2017. Development on these larger land parcels could sustainably deliver larger numbers of housing, and if necessary to ensure sustainable development, could be used to locate infrastructure/community requirements.

Comment

Consultee	Mr ROBIN SeQueira (1190820)
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Event Name	Purbeck Local Plan Pre-submission Draft
Comment by	Mr ROBIN SeQueira (1190820)
Comment ID	PLPP179
Response Date	30/11/18 18:37
Consultation Point	Ensuring a sufficient supply of homes (View)
Status	Processed
Submission Type	Web
Version	0.1
Are you responding on behalf of a group?	No

Please tick the box(es) if you would like to be notified at an address/email address of the following:

Which policy / paragraph number / policies map does your comment relate to? 115

Do you consider that the Local Plan is legally compliant? Yes

Do you consider that the Local Plan is sound? Yes

Do you consider that the Local Plan complies with the duty to co-operate? Yes

Please give details of why you consider this part of the Local Plan is / is not legally compliant, sound or fails to comply with the duty to co-operate. (Please be as precise as possible)

The Plan addresses the many and varied issues relating to the protection of the heritage, rurality and uniqueness of Purbeck. Developers and landowners urging random and uninhibited housing development appear determined to urbanise the District, encourage the growth of second homes (which currently exacerbates housing shortage in the District) and destroy the very essence of Purbeck's

unique environment which is the basis of its economy. Furthermore the Plan remains sensitive to preserving small settlements, respects flood risks and defends the green belt, without which settlements and villages would merge and Purbeck would become yet another urban jungle. The Plan, focussed as it is on meeting assessed and defensible local need, providing homes where they are needed is commendable given the many and varied elements which it has addressed.

(Please note that the Planning Inspector will make the final decision on who will be invited to attend individual sessions at the examination, although all members of the public may observe the proceedings)

Only those who have made representations to the Local Plan during the statutory six week pre-submission publication period will be allowed to participate in the public examination.

If your representation is seeking a change to the Local Plan, do you consider it necessary to participate in the oral part of the examination? No

Comment

Consultee	Mr ROBIN SeQueira (1190820)
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Event Name	Purbeck Local Plan Pre-submission Draft
Comment by	Mr ROBIN SeQueira (1190820)
Comment ID	PLPP181
Response Date	30/11/18 18:49
Consultation Point	Assessing flood risk (View)
Status	Processed
Submission Type	Web
Version	0.1

Are you responding on behalf of a group? No

Please tick the box(es) if you would like to be notified at an address/email address of the following:

Which policy / paragraph number / policies map does your comment relate to? 72

Do you consider that the Local Plan is legally compliant? Yes

Do you consider that the Local Plan is sound? Yes

Do you consider that the Local Plan complies with the duty to co-operate? Yes

Please give details of why you consider this part of the Local Plan is / is not legally compliant, sound or fails to comply with the duty to co-operate. (Please be as precise as possible)

The real, present and continuing flood risk in Lytchett Minster has been properly considered and recognised in the Plan. The Environment Agency has continuing concerns regarding pluvial flood risk in this village and recommends further investigation. Local residents have also provided substantial evidence of flooding and flood risk. Developers and landowners continue to downplay these risks.

Evidence in other parts of the UK show that developers pay scant regard to flood risk and evidence of consistent flooding, building houses in unsuitable locations and then leaving householders and insurers to meet the considerable human and financial consequences. The Plan has paid heed to the flood risk in settlements like Lytchett Minster and is to be commended for doing so.

(Please note that the Planning Inspector will make the final decision on who will be invited to attend individual sessions at the examination, although all members of the public may observe the proceedings)

Only those who have made representations to the Local Plan during the statutory six week pre-submission publication period will be allowed to participate in the public examination.

If your representation is seeking a change to the Local Plan, do you consider it necessary to participate in the oral part of the examination? No

Comment

Consultee	Mr ROBIN SeQueira (1190820)
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Event Name	Purbeck Local Plan Pre-submission Draft
Comment by	Mr ROBIN SeQueira (1190820)
Comment ID	PLPP182
Response Date	30/11/18 19:06
Consultation Point	The green belt (View)
Status	Processed
Submission Type	Web
Version	0.1

Are you responding on behalf of a group? No

Please tick the box(es) if you would like to be notified at an address/email address of the following:

Which policy / paragraph number / policies map does your comment relate to? 48

Do you consider that the Local Plan is legally compliant? Yes

Do you consider that the Local Plan is sound? Yes

Do you consider that the Local Plan complies with the duty to co-operate? Yes

Please give details of why you consider this part of the Local Plan is / is not legally compliant, sound or fails to comply with the duty to co-operate. (Please be as precise as possible)

The Green Belt is the arch essential element which makes Purbeck what it is. In recognising that some limited traits of Green Belt (GB) may have to be surrendered, primarily in the west of the district, the Plan nevertheless remains a bulwark against the urbanisation of Purbeck by retaining the very thin GB between Lytchett Minster and the urban conurbation of Poole, Bournemouth and Christchurch

without which the merging of settlements around Lytchett Minster would effectively consign Lytchett Minster to the urban wasteland. Those seeking to denigrate the GB in this locality have neither a commitment nor a stake in the area. The Plan is to be commended in its determination to preserve the GB in this and other local areas against the ravages of piecemeal, profit related development.

(Please note that the Planning Inspector will make the final decision on who will be invited to attend individual sessions at the examination, although all members of the public may observe the proceedings)

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If your representation is seeking a change to the Local Plan, do you consider it necessary to participate in the oral part of the examination? No

Comment

Consultee	Mr ROBIN SeQueira (1190820)
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Event Name	Purbeck Local Plan Pre-submission Draft
Comment by	Mr ROBIN SeQueira (1190820)
Comment ID	PLPP185
Response Date	01/12/18 05:01
Consultation Point	Policy IM1: Tools for delivery - the Purbeck Local Plan implementation strategy (View)
Status	Processed
Submission Type	Web
Version	0.1
Are you responding on behalf of a group?	No
Please tick the box(es) if you would like to be notified at an address/email address of the following:	
Which policy / paragraph number / policies map does your comment relate to?	274
Do you consider that the Local Plan is legally compliant?	Yes
Do you consider that the Local Plan is sound?	Yes
Do you consider that the Local Plan complies with the duty to co-operate?	Yes

Please give details of why you consider this part of the Local Plan is / is not legally compliant, sound or fails to comply with the duty to co-operate. (Please be as precise as possible)

Given its robust and compliant nature the Plan must remain the defining framework for the future of the Purbeck area and must be legally respected and enforceable by the new successor local authority. Opponents of the Plan may argue that the new Unitary authority due to commence in April 2019 (the

Dorset Council) should construct a new plan, have neither a legal or moral basis for such a claim, which if realised runs counter to the legitimacy of the existing Councils and the work they have undertaken at considerable cost to the public purse.

(Please note that the Planning Inspector will make the final decision on who will be invited to attend individual sessions at the examination, although all members of the public may observe the proceedings)

Only those who have made representations to the Local Plan during the statutory six week pre-submission publication period will be allowed to participate in the public examination.

If your representation is seeking a change to the Local Plan, do you consider it necessary to participate in the oral part of the examination? No

Comment

Consultee	Serkis (1191467)
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Event Name	Purbeck Local Plan Pre-submission Draft
Comment by	Serkis (1191467)
Comment ID	PLPP575, 673, 674, 675, 676,677

Files	H5-Serkis-PLPP575-redacted.pdf
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Which policy / paragraph number / policies map does your comment relate to?

Do you consider that the Local Plan is legally compliant?	No
--	----

Do you consider that the Local Plan is sound?	No
--	----

Do you consider that the Local Plan complies with the duty to co-operate?	Yes
--	-----



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Requester ID: 039
 Consultee ID: 1191467
 Comment ID's: PLPP575

PART B

1. Which part of the Purbeck Local Plan does your representation relate to? Separate forms must be completed for each separate policy or paragraph you wish to comment on.

Policy number	HS
Policies map	
Paragraph number	

2. Do you consider that the Local Plan is:

- | | | | | |
|---|-----|-------------------------------------|----|-------------------------------------|
| • Legally compliant | Yes | <input type="checkbox"/> | No | <input checked="" type="checkbox"/> |
| • Sound | Yes | <input type="checkbox"/> | No | <input checked="" type="checkbox"/> |
| • Complies with the duty to co-operate. | Yes | <input checked="" type="checkbox"/> | No | <input type="checkbox"/> |

If your representation relates to how the Council has prepared the Local Plan it is likely to relate to legal compliance. The Plan must:

- comply with Section 20 of the Planning and Compulsory Purchase Act 2004 and other related legislation;
- be in accordance with the Council's Local Development Scheme and Statement of Community Involvement;
- comply with the Town and Country Planning (Local Planning) (England) Regulations 2012, national planning policy and the duty to co-operate in relation to planning of sustainable development (section 110 of Localism Act 2011).

If your representation relates to the content of the Local Plan, it is likely to relate to its soundness. To be considered sound the plan must be:

- positively prepared - providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
- justified - an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
- effective - deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
- consistent with national policy - enabling the delivery of sustainable development in accordance with the policies in the Government's National Planning Policy Framework.

If your representation relates to how the Council has consulted with other relevant bodies during the plan making process, it is likely to relate to how the plan process has complied with the duty to co-operate in relation to the planning of sustainable development.

3. Please give details of why you consider the policy, policies map or paragraph number of the Local Plan is / is not legally compliant, sound or fails to comply with the duty to co-operate. (Please be as precise as possible).

(Please continue on a separate sheet if necessary)

4. Having regard to your comments in question 3, please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound. You will need to say why this change will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording for any policy or text and where appropriate provide evidence necessary to support/justify the representation. (Please be as precise as possible)

Please see attached



(Please continue on a separate sheet if necessary)

5. If your representation is seeking a change to the Local Plan, do you consider it necessary to participate in the oral part of the examination? Please note that the Planning Inspector will make the final decision on who will be invited to attend individual sessions of the examination, although all members of the public may observe the proceedings. Only those who have made representations to the Local Plan during the statutory six week pre-submission publication period will be allowed to participate in the public examination.

Yes

No

6. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary?

(Please continue on a separate sheet if necessary)

Please sign and date this form:

Signature:

Date:

SEVEN THINGS THAT YOU NEED TO TELL THE LOCAL PLAN INSPECTOR

Affordability

This Plan is unsound as it perpetuates the myth that building 470 homes in Wool will somehow provide houses that local people can afford. The January 2018 consultation said: "The average cost of a house in Purbeck is £250,000". That's seventeen times the average salary in Purbeck. To be genuinely affordable (for rent or purchase) a house needs to cost £150,000. The Plan presents no evidence that building 470 houses in Wool will cause house prices to drop by 40%.

Numbers

The Plan lacks clarity. A third of the proposed houses (933 of 2,688) are on unspecified 'small sites' which could be anywhere in Purbeck. How can that be called 'a Plan'?

Infrastructure

The plan should be challenged because it fails to offer any definitive guarantees in terms of infrastructure that will be required to support the number of houses being proposed for Wool (which does not include any 'add-ons' that could well appear on 'smaller sites'). The plan merely assumes that the current schools can be adequately expanded; no mention is made of the ability (or otherwise) to expand the already overloaded sewage works; whilst there is at least acknowledgement that there will be increased traffic, noting previous surveys and pressure on the level crossing given that many new residents will commute to the Poole/Bournemouth conurbation, the only mitigation suggested is to encourage motorists to seek alternative routes;

Environment

There is little, if any, acknowledgement of the disastrous effect that such large scale (and unnecessary) development will have on the environment in terms of the destruction of the current bio-diverse habitats that now exist. There has been no satisfactory environmental or ecological study carried out by reputable bodies or outside experts. The suggestions for mitigation of the impact on the environment (for example the provision of a SANG) have been ill-considered, and according to expert opinion, would not address the problem that the proposed development would cause.

Health Care

The sudden inclusion in the plans for Wool of a 65 bed care home should be challenged. There is no reference to or mention of the proposal to build such a facility in Wool in any of the previous consultation documents. In addition, the legality of its inclusion should be questioned on the grounds that it would appear that none of Social Services, the local Surgery, NHS Dorset or the CCG were involved in any form of discussion or consultation, leading one to conclude that it has been added as a purely speculative commercial venture by the would-be developer. It would likely be the biggest building in Wool, which directly contravenes the planning principle found elsewhere in the Pre-Submission Policy Document that any development should be sympathetic and in keeping with local architecture and scale of building.

Consultation January 2018

The Plan talks about the results of the January 2018 consultation and says 'the most favoured option' was Option A. Technically this is correct; but when asked what was their preferred option, 35% of respondents chose option A, 28% chose None. And in Wool, whilst 30% chose Option A, 60% said None. That is far from a ringing endorsement for this Plan by any measure. In terms of Wool therefore, the process has been legally and morally questionable because it has repeatedly denied the stated democratic wishes of the community.

This Consultation

Like all the previous consultations, this one is severely flawed and there is evidence to suggest that it too has been designed to prevent large numbers of the community from responding easily and fully. The first consultation, for example, contained the erroneous and deceptive comment that "there was significant support for 1000 houses in Wool"; the second consultation persisted with the apparent impression that there would be between 40% and 50% of all houses built being affordable; all the consultations and attendant publicity have been deliberately vague – and therefore potentially misleading – over infrastructure (for example continuing to state that "a bypass could be considered"); the insistence on an 'online' response to this consultation is seen to be discriminatory and disenfranchising.

Disclaimer: Although this document is co-authored by members of woolRATH who happen also to be members of Wool Parish Council, it should be made clear that the views expressed here are in no way to be seen as representing those of Wool Parish Council.

Comment

Consultee	Mrs Heather Shackell (1192523)
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Event Name	Purbeck Local Plan Pre-submission Draft
Comment by	Mrs Heather Shackell (1192523)
Comment ID	PLPP638
Response Date	03/12/18 11:11
Consultation Point	Policy H5: Wool (View)
Status	Processed
Submission Type	Letter
Version	0.3
Files	H5-Shackell-PLPP638.pdf
Are you responding on behalf of a group?	No
Please tick the box(es) if you would like to be notified at an address/email address of the following:	<input type="checkbox"/> The submission of Local Plan to the Secretary of State for Public Examination <input type="checkbox"/> The publication of the recommendations of any person appointed to carry out an the Examination of the Local Plan (the Inspector's Report) <input type="checkbox"/> The adoption of the Purbeck Local Plan
Which policy / paragraph number / policies map does your comment relate to?	H5
Do you consider that the Local Plan is legally compliant?	Yes
Do you consider that the Local Plan is sound?	No
Do you consider that the Local Plan complies with the duty to co-operate?	No

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If your representation is seeking a change to the Local Plan, do you consider it necessary to participate in the oral part of the examination? No



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Requester ID: 047
 Consultee ID: 1192523
 Comment ID's: PLPP638

PART B

1. Which part of the Purbeck Local Plan does your representation relate to? Separate forms must be completed for each separate policy or paragraph you wish to comment on.

Policy number	H5
Policies map	
Paragraph number	

2. Do you consider that the Local Plan is:

- | | | | | |
|---|-----|-------------------------------------|----|-------------------------------------|
| • Legally compliant | Yes | <input checked="" type="checkbox"/> | No | <input type="checkbox"/> |
| • Sound | Yes | <input type="checkbox"/> | No | <input checked="" type="checkbox"/> |
| • Complies with the duty to co-operate. | Yes | <input type="checkbox"/> | No | <input checked="" type="checkbox"/> |

If your representation relates to how the Council has prepared the Local Plan it is likely to relate to legal compliance. The Plan must:

- comply with Section 20 of the Planning and Compulsory Purchase Act 2004 and other related legislation;
- be in accordance with the Council's Local Development Scheme and Statement of Community Involvement;
- comply with the Town and Country Planning (Local Planning) (England) Regulations 2012, national planning policy and the duty to co-operate in relation to planning of sustainable development (section 110 of Localism Act 2011).

If your representation relates to the content of the Local Plan, it is likely to relate to its soundness. To be considered sound the plan must be:

- positively prepared - providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
- justified - an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
- effective - deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
- consistent with national policy - enabling the delivery of sustainable development in accordance with the policies in the Government's National Planning Policy Framework.

If your representation relates to how the Council has consulted with other relevant bodies during the plan making process, it is likely to relate to how the plan process has complied with the duty to co-operate in relation to the planning of sustainable development.

3. Please give details of why you consider the policy, policies map or paragraph number of the Local Plan is / is not legally compliant, sound or fails to comply with the duty to co-operate. (Please be as precise as possible).

On Nov. 30th a session was arranged, very belatedly, to help local residents fill up complicated, obscure forms relating to the P.D.C. policy (Local Plan)

Many residents had neither the expertise, time or computer skills to wade through this procedure. At the eleventh hour paper forms were available. Many residents were unable to attend this short session, or knew nothing about it.

Infrastructure - The policy suggests that residents 'seek alternative routes' to the greatly increased flow of traffic through Wool village over the level crossing. Has P.D.C. done a series of surveys, in all seasons, of traffic over the crossing?

Where are 'alternative routes' highlighted in the plan?

Schools - There is no inclusion of planning for a new primary school. Where can new classrooms be built on the sites of the 2 existing schools, without jeopardising outside space for P.E. and recreation?

Medical - There is no mention of a new surgery building. With an addition of another possible 2000 residents, where will their medical needs be met? The existing surgery is struggling already to recruit doctors and nurses and provide appointments.

Sewage - The present sewage works is operating at capacity. There is no mention of provision for a new plant.

Flooding In view of the flooding which occurs every winter on the Dorchester road beyond the roundabout, how will the increased housing further affect this? Have there been surveys to monitor this?

Consultation - In the January 2018 consultation the majority of Wool residents voted for ~~B~~ none. Only 30% chose open A. There was no option to tick for a small sites option across Purbeck. The way that the consultation was presented, was flawed.

This policy does not justify the need for an extra 1000 houses in Wool (470 plus small site development)

These houses cannot be guaranteed to be truly affordable i.e. —

(Please continue on a separate sheet if necessary)

(Continued on new sheet)

£150,000 based on local incomes. Is it proposed to make this mandatory?

There is no guarantee on the number of social houses to rent or how much the rent will be.

There is no detailed explanation of why the proposed houses are needed in this area.

There are no suggestions regarding employment.

Has the exorbitant cost of buying back the Innovation park site at Winfrith resulted in any definite local jobs?

This document is couched in obscure, unnecessary, complicated wording which residents find ~~difficult~~ difficulty in understanding.

For all the above reasons I find this plan unfit for purpose and unsound.

4. Having regard to your comments in question 3, please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound. You will need to say why this change will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording for any policy or text and where appropriate provide evidence necessary to support/justify the representation. (Please be as precise as possible)

To make this document sound, it needs to be sent to every resident in Purbeck. It must be considerably condensed with simple, understandable wording and more time and help given to reply.

The document needs to provide evidence of the need for up to 1000 additional houses in wool, and prospects for local employment.

The need for social housing (up to 30) was to be met at the Winfrith site. This should be included definitively.

This plan, in order to justify this unviable development must categorically include legally binding provision for a new school;

- 2) A new surgery (with N.H.S. consultation)
- 3) Transport infrastructure and drainage solutions.
- 4) Density control and environmental protection.
- 5) True affordability for a set number of houses.

I am not an expert in Policy wording but I have done my best.

5. If your representation is seeking a change to the Local Plan, do you consider it necessary to participate in the oral part of the examination? Please note that the Planning Inspector will make the final decision on who will be invited to attend individual sessions of the examination, although all members of the public may observe the proceedings. Only those who have made representations to the Local Plan during the statutory six week pre-submission publication period will be allowed to participate in the public examination.

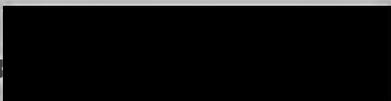
Yes

No

6. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary?

(Please continue on a separate sheet if necessary)

Please sign and date this form:

Signature: 

Date: 30/11/18 .

Comment

Consultee	Mr John Shackell (1185659)
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Event Name	Purbeck Local Plan Pre-submission Draft
Comment by	Mr John Shackell (1185659)
Comment ID	PLPP637
Response Date	03/12/18 10:57
Consultation Point	Policy H5: Wool (View)
Status	Processed
Submission Type	Letter
Version	0.3
Files	H5-Shackell-PLPP637.pdf
Are you responding on behalf of a group?	No
Please tick the box(es) if you would like to be notified at an address/email address of the following:	<input type="checkbox"/> The submission of Local Plan to the Secretary of State for Public Examination <input type="checkbox"/> The publication of the recommendations of any person appointed to carry out an the Examination of the Local Plan (the Inspector's Report) <input type="checkbox"/> The adoption of the Purbeck Local Plan
Which policy / paragraph number / policies map does your comment relate to?	H5
Do you consider that the Local Plan is legally compliant?	Yes
Do you consider that the Local Plan is sound?	No
Do you consider that the Local Plan complies with the duty to co-operate?	No

(Please note that the Planning Inspector will make the final decision on who will be invited to attend individual sessions at the examination, although all members of the public may observe the proceedings)

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If your representation is seeking a change to the Local Plan, do you consider it necessary to participate in the oral part of the examination? No

If your representation relates to how the Council has consulted with other relevant bodies during the plan making process, it is likely to relate to how the plan process has complied with the duty to co-operate in relation to the planning of sustainable development.

3. Please give details of why you consider the policy, policies map or paragraph number of the Local Plan is / is not legally compliant, sound or fails to comply with the duty to co-operate. (Please be as precise as possible).

The Council has a duty to consult and cooperate. However, it was only following letters and agitation from local residents and their organisations that a session was arranged in Wool (Fri. 30 Nov 18) to help locals complete the forms of evidence for the Council (RDC) Up to then the form was only available via the internet. Not all residents who would wish to express views of the Plan either have access to a computer or are computer literate. I also believe that the Council's use of complex language and section separation of the forms are obstructive and deter a large section of residents from taking what is the trouble to bother to express their views according to the Council's prescriptive instructions. I question the legality of the failure of the Council to easily enable all to give their views/evidence.

The average cost of a house in Purbeck £250,000 is way beyond the means of those in receipt of the average local salary. To be locally affordable the price would need to be nearer £150,000. The additional 470 houses are not "affordable".

Nowhere in the Plan is proper appropriate infrastructure guaranteed e.g. Schools.. the Wool level crossing under great pressure. Enlargement of Sewage Works, etc. It is not explained how Medical/Health Care will be increased for the increased population.

In terms of Consultation.... mere samples of opinion do not express the true opinions of the majority of the population - only those who are literate and readily prepared to be consulted.

(Please continue on a separate sheet if necessary)

4. Having regard to your comments in question 3, please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound. You will need to say why this change will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording for any policy or text and where appropriate provide evidence necessary to support/justify the representation. (Please be as precise as possible)

The Plan and questionnaires must be expressed in more simple language - Plain English.

The whole adult population must be consulted and given the opportunity for help as necessary. (see ^{*} below)

More detail on price and affordability and real need for new housing required.

Exactly what infrastructure is needed for the additional houses?
- how many more doctors? How much road improvement? How many more school places? etc.

* A professional educational appraisal must be made to ascertain a suitable level of reading a comprehension to make the plan and questions inclusive for all the population.

(Please continue on a separate sheet if necessary)

5. If your representation is seeking a change to the Local Plan, do you consider it necessary to participate in the oral part of the examination? Please note that the Planning Inspector will make the final decision on who will be invited to attend individual sessions of the examination, although all members of the public may observe the proceedings. Only those who have made representations to the Local Plan during the statutory six week pre-submission publication period will be allowed to participate in the public examination.

Yes

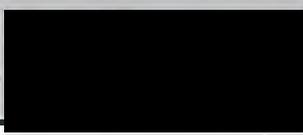
No

6. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary?

(Please continue on a separate sheet if necessary)

Please sign and date this form:

Signature:



Date: *1st December 2018.*

Comment

Consultee Captain Malcolm Shakesby MBE (1190568)

Email Address [REDACTED]

Address [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Event Name Purbeck Local Plan Pre-submission Draft

Comment by Captain Malcolm Shakesby MBE (1190568)

Comment ID PLPP313

Response Date 03/12/18 11:10

Consultation Point Chapter 6: Infrastructure ([View](#))

Status Processed

Submission Type Web

Version 0.1

Are you responding on behalf of a group? No

If yes, how many people do you represent? 1

Please tick the box(es) if you would like to be notified at an address/email address of the following:

Which policy / paragraph number / policies map does your comment relate to? 221-236 & Policy 11

Do you consider that the Local Plan is legally compliant? No

Do you consider that the Local Plan is sound? No

Do you consider that the Local Plan complies with the duty to co-operate? No

Please give details of why you consider this part of the Local Plan is / is not legally compliant, sound or fails to comply with the duty to co-operate. (Please be as precise as possible)

It is contradictory and relies on assumptions that cannot be substantiated and that in order to fulfill the requirements for Infrastructure, facilities and services, it is questionable whether Developer Contributions would be sufficient to fulfill the requirements laid out in this section. Purbeck already suffers from under investment in Infrastructure.

Having regard to your previous comments, please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound. You will need to say why this change will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording for any policy or text and where appropriate provide evidence necessary to support / justify the representation. (Please be as precise as possible)

Although section 221 - 236 and Policy 11 set out required contributions it is not specific enough to explain how the level of funding required is actually going to be delivered. More thought need to be put into the wording of the various sections. The impacts on schools and health services has not been fully addressed.

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If you wish to participate in the oral part of the examination, please outline why you consider it to be necessary?

The issue of Infrastructure, ie Transport, Developer Contributions, Education, Health etc is an important element to the future well being of Purbeck, particularly with the new Authority coming into being in 2019. Explanations and issues cannot be adequately expressed by written representation alone

Comment

Consultee Captain Malcolm Shakesby MBE (1190568)

Email Address [REDACTED]

Address [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Event Name Purbeck Local Plan Pre-submission Draft

Comment by Captain Malcolm Shakesby MBE (1190568)

Comment ID PLPP324

Response Date 03/12/18 12:46

Consultation Point Chapter 6: Infrastructure ([View](#))

Status Processed

Submission Type Web

Version 0.1

Are you responding on behalf of a group? No

If yes, how many people do you represent? 1

Please tick the box(es) if you would like to be notified at an address/email address of the following:

Which policy / paragraph number / policies map does your comment relate to? 237-245 Policy 12, H5

Do you consider that the Local Plan is legally compliant? No

Do you consider that the Local Plan is sound? No

Do you consider that the Local Plan complies with the duty to co-operate? No

Please give details of why you consider this part of the Local Plan is / is not legally compliant, sound or fails to comply with the duty to co-operate. (Please be as precise as possible)

It is identified in 237 that Purbeck is a Rural district with a relatively small and widely dispersed population. Some are in isolated communities with only access to Transport links, inevitably by car.

section 237-245 seems to underestimate the problems of transport in real terms and seems to consider that walking and cycling will reduce the impact of the car. This is a long term flawed argument that has been in place since at least 2000 and used in previous plans, however it has not been properly considered or evaluated. To cycle or walk on most of the roads in the area is hazardous to say the least and would require an extensive network of footpaths and cycle paths to encourage more use of walking and cycling which would require high levels of financial investment.

the main employment conurbations are Poole, Bournemouth, Weymouth & Dorchester as well as destinations such as London, Southampton etc. To access the 4 railway stations mentioned, most people in the surrounding area of these stations need a car. Due to the unreliability of the rail system and escalating costs of the Waterloo-Weymouth service the car is becoming an alternative.

The comments of 241-243-244 are questionable. Section 241 addresses the CIL and suggests transport projects formed part of Regulation 123 list. However little has been done in carrying out strategic transport projects that is evidenced.

Section 243 indicates the impact of increased traffic volumes associated with new homes and delivery services have been taken into account with this Plan. However little consideration has been taken into account of existing traffic levels on the network which increases enormously in the summer with tourist visitors particularly to the Jurassic Coast and in the case of the A351 it is already running at capacity, section 241.

It is unreasonable to to accept that "recent studies have led to the conclusion that whilst development will have an impact on the network, with mitigation the impacts have not been assessed as SEVERE and would not be a barrier to the level of growth proposed in this Purbeck Plan".

"Although this means no major additional highway or other transport infrastructure can be provided to support the level of growth envisaged to 2034 etc etc".

Section d of Policy 12 requires that developments are located in accessible locations and ideally reduce the need to travel.

The above comments apply to Purbeck in general but also specically to potential development at Wool. In order to fulfill the requirements laid out in this section the Devloper would not be able to provide sufficient contributions

Having regard to your previous comments, please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound. You will need to say why this change will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording for any policy or text and where appropriate provide evidence necessary to support / justify the representation. (Please be as precise as possible)

It would seem that in sections 241, particularly the A351, 243 & 244 little consideration by the local Authorities, Purbeck and County Hgihways to the Buro Hapold Purbeck Transport Study 2004. Wool rail crossing features in this document and relates to additional traffic due to increased housing. The need for a By-pass or the moving of Wool railway station.

In all recent transport studies these issues have not been addressed. Wording on Transport needs to be reexamined and a more honest approach to the REAL problems of transport in Purbeck regardless of whether more housing will be permitted.

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If you wish to participate in the oral part of the examination, please outline why you consider it to be necessary?

To explain to the Inspector and produce evidence the serious implications on the road network of the potential levels of housing proposed in Purbeck, particularly the A351 and the A352 at Wool. Also the possibility of the A35 becoming overloaded. Together with realities that it is not feasibly possible or realistic to reduce reliance on the car.

Comment

Consultee	Captain Malcolm Shakesby MBE (1190568)
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Event Name	Purbeck Local Plan Pre-submission Draft
Comment by	Captain Malcolm Shakesby MBE (1190568)
Comment ID	PLPP420
Response Date	03/12/18 15:44
Consultation Point	Chapter 6: Infrastructure (View)
Status	Processed
Submission Type	Web
Version	0.1
Are you responding on behalf of a group?	No
If yes, how many people do you represent?	1
Please tick the box(es) if you would like to be notified at an address/email address of the following:	
Which policy / paragraph number / policies map does your comment relate to?	248/250 258-264 Policy13&16
Do you consider that the Local Plan is legally compliant?	No
Do you consider that the Local Plan is sound?	No
Do you consider that the Local Plan complies with the duty to co-operate?	No

Please give details of why you consider this part of the Local Plan is / is not legally compliant, sound or fails to comply with the duty to co-operate. (Please be as precise as possible)

Policy 16 does not cover all the aspects under the heading Health and Emergency Services, nor takes into account of the impact of the number of people associated with the increased level of housing in a predominately Rural area.

258. "An ageing population is expected, (Not Will), to increase pressure on health care and social care.

There is no evidence to support the argument, section 259 that new housing will be adequately supported by available services. It can be safely assumed that in the case of Wool that 457 houses plus additional extras will support approximately 1,500 + men, women and children. There does not appear in the document mention of Wool Surgery which will have to administer this increase in numbers. Wool Surgery is the main large Rural practice taking in 11 village communities, with 6,200 patients and taking into account the additional numbers 8,000+. Wool Surgery is already running at capacity and as of todays date 3rd December 2018 the earliest appointment date unless an Emergency is 17th December 2018. No thought or consideration has been taken into account in the document/plan of the lack of Public Transport for patients at Bovington, Lulworth, Chaldon and other outlying villages in the catchment etc to be able get an appointment to fit in with what Public transport is available in order to attend the Wool Surgery or the means of returning home.

The remainder of this section 259 (b) identifies priorities. One of which is preventing ill health. Nowhere in the document is there mention of the impact of traffic pollution and the effects on wellbeing and health although Nor is there any suggestion to monitoring of asthma or other respiratory problems along the A351 & A352 corridor which the on going increase in traffic and CO2 levels may bring. However section 248 & 250 suggest suggests that part of the plan is to improve air quality.

For some obscure reason Bere Regis is mentioned in section 262 and that it is at capacity but there is room for expansion on the site, although there are only 105 houses allocated in the neighbourhood plan. One must presume that may also be the case in Wool. However there is no indication as to how this would be funded.

Having regard to your previous comments, please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound. You will need to say why this change will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording for any policy or text and where appropriate provide evidence necessary to support / justify the representation. (Please be as precise as possible)

Policy 16 does not address the broader issues of Health and Emergency Services. The policy in it's self refers only to the Middle school at Wareham and does not address the issues identified above. Therefore this Policy could be considered not fit for purpose.

Policy 13 does not bring to account air quality in the region, particularly along the corridors of high traffic levels and congestion.

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If you wish to participate in the oral part of the examination, please outline why you consider it to be necessary?

To draw to the attention of the inquiry that elements of the plan have not been satisfactorily addressed with regard to policy 13 & 16.

Comment

Consultee Captain Malcolm Shakesby MBE (1190568)

Email Address [REDACTED]

Address [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Event Name Purbeck Local Plan Pre-submission Draft

Comment by Captain Malcolm Shakesby MBE (1190568)

Comment ID PLPP482

Response Date 03/12/18 17:22

Consultation Point Chapter 6: Infrastructure ([View](#))

Status Processed

Submission Type Web

Version 0.1

Are you responding on behalf of a group? No

If yes, how many people do you represent? 1

Please tick the box(es) if you would like to be notified at an address/email address of the following:

Which policy / paragraph number / policies map does your comment relate to? EE4 & 12

Do you consider that the Local Plan is legally compliant? No

Do you consider that the Local Plan is sound? No

Do you consider that the Local Plan complies with the duty to co-operate? No

Please give details of why you consider this part of the Local Plan is / is not legally compliant, sound or fails to comply with the duty to co-operate. (Please be as precise as possible)

Policy EE4 Tourism and Policy 12 Improving Accessibility and Transport do not take into account of the levels of tourists now seeing Purbeck as a destination. EE4 relates in general to supporting tourism with new developments and accommodation but both Policies do not address a road system that is already over burdened and out of date and in reality not fit for purpose for traffic entering Purbeck particularly the A351 and A352 for Swanage, Studland, Lulworth Cove/Durdle Door, plus attractions such as Monkey World and the Tank Museum, the Palaeontology Museum at Kimmeridge.

If it is intended to attract more visitors then a road system fit for purpose has to be revisited. The roads into Purbeck are in the summer and other key holiday times grid locked. The Purbeck Plan does not address this problem but it is one that has been ongoing for at least 30 years as the traffic has steadily increased. In 1997-2001 the A351 was considered for a by-pass, this went before the Inspector at Public Inquiry but was turned down because of English Nature's (now Natural England) objections.

This issue of road networks into Purbeck needs urgently to be addressed and a satisfactory solution found if Tourism is to be a feature in supporting the local economy.

The 2004 Buro Hapold Purbeck Transportation Strategy covers this problem admirably, but the document is in general considered out of date but actually covers the period until 2021. Buro Hapold advised that there should be a re-examination of the feasibility and practicality of an A351 Sandford Bypass. There is no mention of this in this document, "The Purbeck Local Plan".

The delays due to traffic congestion for tourists and local residents, delivery of goods and the levels of pollution on the environment must be addressed.

Having regard to your previous comments, please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound. You will need to say why this change will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording for any policy or text and where appropriate provide evidence necessary to support / justify the representation. (Please be as precise as possible)

No consideration has been taken to address tourist traffic in EE4 or Policy 16. This needs to be taken into account and the document amended to address the issues

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If you wish to participate in the oral part of the examination, please outline why you consider it to be necessary?

To explain the impacts of Tourism on local communities and the lack of input in the document of tourist traffic.

Comment

Consultee	Captain Malcolm Shakesby MBE (1190568)
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Event Name	Purbeck Local Plan Pre-submission Draft
Comment by	Captain Malcolm Shakesby MBE (1190568)
Comment ID	PLPP558
Response Date	03/12/18 22:00
Consultation Point	Policies List (View)
Status	Processed
Submission Type	Web
Version	0.1
Are you responding on behalf of a group?	No
If yes, how many people do you represent?	1
Please tick the box(es) if you would like to be notified at an address/email address of the following:	
Which policy / paragraph number / policies map does your comment relate to?	Housing H5 & Environment
Do you consider that the Local Plan is legally compliant?	No
Do you consider that the Local Plan is sound?	No
Do you consider that the Local Plan complies with the duty to co-operate?	No

Please give details of why you consider this part of the Local Plan is / is not legally compliant, sound or fails to comply with the duty to co-operate. (Please be as precise as possible)

Section 106. Purbeck needs to support the Government objective of boosting the supply of homes. However due consideration has not been given to the Rural setting of Purbeck. Section 51 "Purbeck is predominately a Rural District", that makes it unique in it's nature and the reality is that the NPPF does quite fit the bill for Purbeck. It is also questionable that the Purbeck local plan, with number of houses suggested actual fits with the criteria that the number will (section 107) "meet the needs of the local people, whilst protecting the existing environment".

Throughout the document we are reminded of Purbeck's distinctive, diverse and environmentally sensitive location with 60% designated AONB, most of Purbeck's coastline is a World heritage site and a phenomenal range of flora and fauna.

The Council and the Purbeck Plan are obliged to give great weight to conserving and enhancing the natural beauty and outstanding value of these designated landscapes. Furthermore the NPPF Section 15 paragraphs 172 and 173 sets out criteria for AONBs and Heritage Coast and states that they have the highest status of protection. I do not consider that this has been applied or tested on some of the proposed sites.

Section 113 "The majority of new homes will be in the less environmentally constrained areas including Wool and Moreton" Policy H5. However, Wool and Moreton lie within 5km of Dorset Heathland Sections 83, 84, 85, and the increased level of housing in both the locations on wildlife.

Furthermore the option in Wool on the South side of the A352, lies within and on the edge of the AONB.

Previous applications for housing in Wool particularly on the South side of the A352, but due to Public consultations and objection to these proposals the schemes were discounted by Purbeck DC, so it is ironic that the housing levels are back in the agenda. The level of housing proposed for Wool amounts to an increase of about 1,500 persons with car owning at about 705 to 940 extra vehicles on the road network. As employment opportunities in Wool are limited, this surely will result in more car journeys to and from work. Although weight has been placed on the Innovation Park providing more employment for the area, this does not justify the level of housing proposed, nor is there any supporting evidence that the Innovation park will be a major location for employment.

There is nothing in the plan showing evidence based need for the level of housing proposed for Wool or even Moreton. Nor is there any evidence to support the concept that of the houses to be built in these two locations will be "Affordable" and if so how this will be achievable. The average wage in Purbeck is £15,000 to £20,000. The average house price is somewhere in the region of £250,000, so apart from Affordable housing provided by housing association the opportunities for houses to "meet the needs of LOCAL People" is an enigma.

The housing need further fails to address a long standing issue of housing for young people in the community. There are insufficient 1&2 bed flats and houses for young people to buy into, to get on the housing ladder and to remain within the local communities. This continues to be a contentious issue.

it is questionable that the Infrastructure contributions from developers for the Wool housing scheme will be sufficient to cover all the necessary requirements within the locality as set out in the Purbeck Plan and to provide both Transport and Infrastructure needed to provide road and services that are already lacking.

The Transport Infrastructure provided for the "Purbeck Gate" development was not used as was proposed. The Wool by-pass part of the contribution was not used as the Wool by-pass scheme was deleted by Dorset County Council and the problem of Wool Rail crossing remains an on going nightmare to residents, particularly as 4 trains an hour pass over the crossing which can at times remain closed for 15 minutes.

The Buro Hapold Purbeck Transportation Strategy 2004 highlighted this problem and claimed that the queue lengths were unacceptable and that on reaching 49 to 61 queued vehicles the issue of the rail crossing must be resolved. This still has not been dealt with by Dorset County Highways or Network Rail, 14 years later, but with the possibility of more housing producing further traffic to compound the problem.

Section 133 openly admits that Wool CE and The Purbeck School will require financial contributions for extensions, indicating that they are already at capacity. At what stage are the extensions going to be constructed and in the case of Wool is there sufficient land for an extension?? Additionally, it is likely that children over the age of 11 from new housing will need to be bussed to Purbeck School at Wareham putting more strain on Council tax budgets.

As for the Care home for 65 persons, this was not consulted on prior to being put into the plan under Policy H5. Nor is there any information of who will be accommodated or any other details of medical care etc.

Having regard to your previous comments, please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound. You will need to say why this change will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording for any policy or text and where appropriate provide evidence necessary to support / justify the representation. (Please be as precise as possible)

Too numerous to address.

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If you wish to participate in the oral part of the examination, please outline why you consider it to be necessary?

To support all comments and opinions made in this section.

Comment

Consultee	Captain Malcolm Shakesby MBE (1190568)
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Event Name	Purbeck Local Plan Pre-submission Draft
Comment by	Captain Malcolm Shakesby MBE (1190568)
Comment ID	PLPP568
Response Date	03/12/18 23:57
Consultation Point	Chapter 1: Introduction (View)
Status	Processed
Submission Type	Web
Version	0.1
Are you responding on behalf of a group?	No

Please tick the box(es) if you would like to be notified at an address/email address of the following:

Which policy / paragraph number / policies map does your comment relate to?	Introduction
--	--------------

Do you consider that the Local Plan is sound?	No
--	----

Do you consider that the Local Plan complies with the duty to co-operate?	No
--	----

Please give details of why you consider this part of the Local Plan is / is not legally compliant, sound or fails to comply with the duty to co-operate. (Please be as precise as possible)

The Local Plan process is not compliant with the fundamental principles of the Democratic Process.

The opportunity and process of representation is complex to many people. Firstly it assumes that the electorate/constituents own a computer, that they are particularly computer literate.

The site although reasonably easy to sign onto, lacks straight forward advice on it's use and is not generally user friendly.

To access sections of the plan in order to respond, one either needs a hard copy of the Purbeck Plan, some 150 pages, which has to be purchased from Purbeck District Council or alternatively resort to accessing the plan on the computer, then returning to the comments in order to comment on the particular section or Policy.

For each section there is a warning that your session may be timed out and terminated after one hour and that data could be lost if the "safe as draft" facility is not used. This is an unreasonable request to those accessing data in order to comment on the document and policy. To those not particularly computer conversant, trying to work through a document and provide comments is not easy, in fact this arrangement for Public participation through the Internet is not user friendly and flies in the face of the Democratic Process and compliance.

In order to produce a submission the comments relating to the various sections requires evidence based information, whatever that is supposed to mean. However the public in general do not have readily available access to the numerous documents readily available at the Local Authority to strength their argument.

The document contradicts the issues of environment with that of housing.

The document does not fully address the discrepancies between house prices and salaries and affordable housing for local people. it does not identify who will be buying these houses that local people cannot afford. It fails to explain how housing cannot be purchased as second homes and holiday homes.

In the process of writing the document, and the inclusion of the policy to provide two 65 bed Care Homes, Purbeck District Council failed to consult on this particular aspect of the Plan. There is no explanation in the document to inform how these Care Homes will be manned or operated.

Having regard to your previous comments, please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound. You will need to say why this change will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording for any policy or text and where appropriate provide evidence necessary to support / justify the representation. (Please be as precise as possible)

The document needs to be scrutinized to correct and edit contradictions and .

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If you wish to participate in the oral part of the examination, please outline why you consider it to be necessary?

To address aspects of the Plan that do not stand up to scrutiny.

Comment

Consultee	Captain Malcolm Shakesby MBE (1190568)
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Event Name	Purbeck Local Plan Pre-submission Draft
Comment by	Captain Malcolm Shakesby MBE (1190568)
Comment ID	PLPP703
Response Date	03/12/18 23:57
Consultation Point	Chapter 4: Housing (View)
Status	Processed
Submission Type	Web
Version	0.3

Are you responding on behalf of a group? No

Please tick the box(es) if you would like to be notified at an address/email address of the following:

Which policy / paragraph number / policies map does your comment relate to? Introduction

Do you consider that the Local Plan is sound? No

Do you consider that the Local Plan complies with the duty to co-operate? No

Please give details of why you consider this part of the Local Plan is / is not legally compliant, sound or fails to comply with the duty to co-operate. (Please be as precise as possible)

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In order to produce a submission the comments relating to the various sections requires evidence based information, whatever that is supposed to mean. However the public in general do not have readily available access to the numerous documents readily available at the Local Authority to strength their argument.

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The document does not fully address the discrepancies between house prices and salaries and affordable housing for local people. it does not identify who will be buying these houses that local people cannot afford. It fails to explain how housing cannot be purchased as second homes and holiday homes.

In the process of writing the document, and the inclusion of the policy to provide two 65 bed Care Homes, Purbeck District Council failed to consult on this particular aspect of the Plan. There is no explanation in the document to inform how these Care Homes will be manned or operated.

Having regard to your previous comments, please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound. You will need to say why this change will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording for any policy or text and where appropriate provide evidence necessary to support / justify the representation. (Please be as precise as possible)

The document needs to be scrutinized to correct and edit contradictions and .

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If your representation is seeking a change to the Local Plan, do you consider it necessary to participate in the oral part of the examination? Yes

If you wish to participate in the oral part of the examination, please outline why you consider it to be necessary?

To address aspects of the Plan that do not stand up to scrutiny.

Comment

Consultee	Captain Malcolm Shakesby MBE (1190568)
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Event Name	Purbeck Local Plan Pre-submission Draft
Comment by	Captain Malcolm Shakesby MBE (1190568)
Comment ID	PLPP704
Response Date	03/12/18 22:00
Consultation Point	Policy H11: Affordable housing (View)
Status	Processed
Submission Type	Web
Version	0.2
Are you responding on behalf of a group?	No
If yes, how many people do you represent?	1
Please tick the box(es) if you would like to be notified at an address/email address of the following:	
Which policy / paragraph number / policies map does your comment relate to?	Housing H5 & Environment
Do you consider that the Local Plan is legally compliant?	No
Do you consider that the Local Plan is sound?	No
Do you consider that the Local Plan complies with the duty to co-operate?	No

Please give details of why you consider this part of the Local Plan is / is not legally compliant, sound or fails to comply with the duty to co-operate. (Please be as precise as possible)

Section 106. Purbeck needs to support the Government objective of boosting the supply of homes. However due consideration has not been given to the Rural setting of Purbeck. Section 51 "Purbeck is predominately a Rural District", that makes it unique in it's nature and the reality is that the NPPF does quite fit the bill for Purbeck. It is also questionable that the Purbeck local plan, with number of houses suggested actual fits with the criteria that the number will (section 107) "meet the needs of the local people, whilst protecting the existing environment".

Throughout the document we are reminded of Purbeck's distinctive, diverse and environmentally sensitive location with 60% designated AONB, most of Purbeck's coastline is a World heritage site and a phenomenal range of flora and fauna.

The Council and the Purbeck Plan are obliged to give great weight to conserving and enhancing the natural beauty and outstanding value of these designated landscapes. Furthermore the NPPF Section 15 paragraphs 172 and 173 sets out criteria for AONBs and Heritage Coast and states that they have the highest status of protection. I do not consider that this has been applied or tested on some of the proposed sites.

Section 113 "The majority of new homes will be in the less environmentally constrained areas including Wool and Moreton" Policy H5. However, Wool and Moreton lie within 5km of Dorset Heathland Sections 83, 84, 85, and the increased level of housing in both the locations on wildlife.

Furthermore the option in Wool on the South side of the A352, lies within and on the edge of the AONB.

Previous applications for housing in Wool particularly on the South side of the A352, but due to Public consultations and objection to these proposals the schemes were discounted by Purbeck DC, so it is ironic that the housing levels are back in the agenda. The level of housing proposed for Wool amounts to an increase of about 1,500 persons with car owning at about 705 to 940 extra vehicles on the road network. As employment opportunities in Wool are limited, this surely will result in more car journeys to and from work. Although weight has been placed on the Innovation Park providing more employment for the area, this does not justify the level of housing proposed, nor is there any supporting evidence that the Innovation park will be a major location for employment.

There is nothing in the plan showing evidence based need for the level of housing proposed for Wool or even Moreton. Nor is there any evidence to support the concept that of the houses to be built in these two locations will be "Affordable" and if so how this will be achievable. The average wage in Purbeck is £15,000 to £20,000. The average house price is somewhere in the region of £250,000, so apart from Affordable housing provided by housing association the opportunities for houses to "meet the needs of LOCAL People" is an enigma.

The housing need further fails to address a long standing issue of housing for young people in the community. There are insufficient 1&2 bed flats and houses for young people to buy into, to get on the housing ladder and to remain within the local communities. This continues to be a contentious issue.

it is questionable that the Infrastructure contributions from developers for the Wool housing scheme will be sufficient to cover all the necessary requirements within the locality as set out in the Purbeck Plan and to provide both Transport and Infrastructure needed to provide road and services that are already lacking.

The Transport Infrastructure provided for the "Purbeck Gate" development was not used as was proposed. The Wool by-pass part of the contribution was not used as the Wool by-pass scheme was deleted by Dorset County Council and the problem of Wool Rail crossing remains an on going nightmare to residents, particularly as 4 trains an hour pass over the crossing which can at times remain closed for 15 minutes.

The Buro Hapold Purbeck Transportation Strategy 2004 highlighted this problem and claimed that the queue lengths were unacceptable and that on reaching 49 to 61 queued vehicles the issue of the rail crossing must be resolved. This still has not been dealt with by Dorset County Highways or Network Rail, 14 years later, but with the possibility of more housing producing further traffic to compound the problem.

Section 133 openly admits that Wool CE and The Purbeck School will require financial contributions for extensions, indicating that they are already at capacity. At what stage are the extensions going to be constructed and in the case of Wool is there sufficient land for an extension?? Additionally, it is likely that children over the age of 11 from new housing will need to be bussed to Purbeck School at Wareham putting more strain on Council tax budgets.

As for the Care home for 65 persons, this was not consulted on prior to being put into the plan under Policy H5. Nor is there any information of who will be accommodated or any other details of medical care etc.

Having regard to your previous comments, please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound. You will need to say why this change will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording for any policy or text and where appropriate provide evidence necessary to support / justify the representation. (Please be as precise as possible)

Too numerous to address.

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If you wish to participate in the oral part of the examination, please outline why you consider it to be necessary?

To support all comments and opinions made in this section.

Comment

Consultee	Captain Malcolm Shakesby MBE (1190568)
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Event Name	Purbeck Local Plan Pre-submission Draft
Comment by	Captain Malcolm Shakesby MBE (1190568)
Comment ID	PLPP705
Response Date	03/12/18 22:00
Consultation Point	Chapter 3: Environment (View)
Status	Processed
Submission Type	Web
Version	0.2
Are you responding on behalf of a group?	No
If yes, how many people do you represent?	1
Please tick the box(es) if you would like to be notified at an address/email address of the following:	
Which policy / paragraph number / policies map does your comment relate to?	Housing H5 & Environment
Do you consider that the Local Plan is legally compliant?	No
Do you consider that the Local Plan is sound?	No
Do you consider that the Local Plan complies with the duty to co-operate?	No

Please give details of why you consider this part of the Local Plan is / is not legally compliant, sound or fails to comply with the duty to co-operate. (Please be as precise as possible)

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Too numerous to address.

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If you wish to participate in the oral part of the examination, please outline why you consider it to be necessary?

To support all comments and opinions made in this section.

Comment

Consultee	Captain Malcolm Shakesby MBE (1190568)
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Event Name	Purbeck Local Plan Pre-submission Draft
Comment by	Captain Malcolm Shakesby MBE (1190568)
Comment ID	PLPP706
Response Date	03/12/18 11:10
Consultation Point	Policy I2: Improving accessibility and transport (View)
Status	Processed
Submission Type	Web
Version	0.3
Are you responding on behalf of a group?	No
If yes, how many people do you represent?	1
Please tick the box(es) if you would like to be notified at an address/email address of the following:	
Which policy / paragraph number / policies map does your comment relate to?	221-236 & Policy 11
Do you consider that the Local Plan is legally compliant?	No
Do you consider that the Local Plan is sound?	No
Do you consider that the Local Plan complies with the duty to co-operate?	No

Please give details of why you consider this part of the Local Plan is / is not legally compliant, sound or fails to comply with the duty to co-operate. (Please be as precise as possible)

It is contradictory and relies on assumptions that cannot be substantiated and that in order to fulfill the requirements for Infrastructure, facilities and services, it is questionable whether Developer Contributions would be sufficient to fulfill the requirements laid out in this section. Purbeck already suffers from under investment in Infrastructure.

Having regard to your previous comments, please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound. You will need to say why this change will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording for any policy or text and where appropriate provide evidence necessary to support / justify the representation. (Please be as precise as possible)

Although section 221 - 236 and Policy 11 set out required contributions it is not specific enough to explain how the level of funding required is actually going to be delivered. More thought need to be put into the wording of the various sections. The impacts on schools and health services has not been fully addressed.

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The issue of Infrastructure, ie Transport, Developer Contributions, Education, Health etc is an important element to the future well being of Purbeck, particularly with the new Authority coming into being in 2019. Explanations and issues cannot be adequately expressed by written representation alone

Comment

Consultee Captain Malcolm Shakesby MBE (1190568)

Email Address [REDACTED]

Address [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Event Name Purbeck Local Plan Pre-submission Draft

Comment by Captain Malcolm Shakesby MBE (1190568)

Comment ID PLPP707

Response Date 03/12/18 12:46

Consultation Point Policy H5: Wool ([View](#))

Status Processed

Submission Type Web

Version 0.3

Are you responding on behalf of a group? No

If yes, how many people do you represent? 1

Please tick the box(es) if you would like to be notified at an address/email address of the following:

Which policy / paragraph number / policies map does your comment relate to? 237-245 Policy 12, H5

Do you consider that the Local Plan is legally compliant? No

Do you consider that the Local Plan is sound? No

Do you consider that the Local Plan complies with the duty to co-operate? No

Please give details of why you consider this part of the Local Plan is / is not legally compliant, sound or fails to comply with the duty to co-operate. (Please be as precise as possible)

It is identified in 237 that Purbeck is a Rural district with a relatively small and widely dispersed population. Some are in isolated communities with only access to Transport links, inevitably by car.

section 237-245 seems to underestimate the problems of transport in real terms and seems to consider that walking and cycling will reduce the impact of the car. This is a long term flawed argument that has been in place since at least 2000 and used in previous plans, however it has not been properly considered or evaluated. To cycle or walk on most of the roads in the area is hazardous to say the least and would require an extensive network of footpaths and cycle paths to encourage more use of walking and cycling which would require high levels of financial investment.

the main employment conurbations are Poole, Bournemouth, Weymouth & Dorchester as well as destinations such as London, Southampton etc. To access the 4 railway stations mentioned, most people in the surrounding area of these stations need a car. Due to the unreliability of the rail system and escalating costs of the Waterloo-Weymouth service the car is becoming an alternative.

The comments of 241-243-244 are questionable. Section 241 addresses the CIL and suggests transport projects formed part of Regulation 123 list. However little has been done in carrying out strategic transport projects that is evidenced.

Section 243 indicates the impact of increased traffic volumes associated with new homes and delivery services have been taken into account with this Plan. However little consideration has been taken into account of existing traffic levels on the network which increases enormously in the summer with tourist visitors particularly to the Jurassic Coast and in the case of the A351 it is already running at capacity, section 241.

It is unreasonable to to accept that "recent studies have led to the conclusion that whilst development will have an impact on the network, with mitigation the impacts have not been assessed as SEVERE and would not be a barrier to the level of growth proposed in this Purbeck Plan".

"Although this means no major additional highway or other transport infrastructure can be provided to support the level of growth envisaged to 2034 etc etc".

Section d of Policy 12 requires that developments are located in accessible locations and ideally reduce the need to travel.

The above comments apply to Purbeck in general but also specically to potential development at Wool. In order to fulfill the requirements laid out in this section the Devloper would not be able to provide sufficient contributions

Having regard to your previous comments, please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound. You will need to say why this change will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording for any policy or text and where appropriate provide evidence necessary to support / justify the representation. (Please be as precise as possible)

It would seem that in sections 241, particularly the A351, 243 & 244 little consideration by the local Authorities, Purbeck and County Hgihways to the Buro Hapold Purbeck Transport Study 2004. Wool rail crossing features in this document and relates to additional traffic due to increased housing. The need for a By-pass or the moving of Wool railway station.

In all recent transport studies these issues have not been addressed. Wording on Transport needs to be reexamined and a more honest approach to the REAL problems of transport in Purbeck regardless of whether more housing will be permitted.

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If you wish to participate in the oral part of the examination, please outline why you consider it to be necessary?

To explain to the Inspector and produce evidence the serious implications on the road network of the potential levels of housing proposed in Purbeck, particularly the A351 and the A352 at Wool. Also the possibility of the A35 becoming overloaded. Together with realities that it is not feasibly possible or realistic to reduce reliance on the car.

Comment

Consultee	Captain Malcolm Shakesby MBE (1190568)
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Event Name	Purbeck Local Plan Pre-submission Draft
Comment by	Captain Malcolm Shakesby MBE (1190568)
Comment ID	PLPP708
Response Date	03/12/18 15:44
Consultation Point	Policy I6: Wareham integrated health and social care (View)
Status	Processed
Submission Type	Web
Version	0.2
Are you responding on behalf of a group?	No
If yes, how many people do you represent?	1
Please tick the box(es) if you would like to be notified at an address/email address of the following:	
Which policy / paragraph number / policies map does your comment relate to?	248/250 258-264 Policy13&16
Do you consider that the Local Plan is legally compliant?	No
Do you consider that the Local Plan is sound?	No
Do you consider that the Local Plan complies with the duty to co-operate?	No

Please give details of why you consider this part of the Local Plan is / is not legally compliant, sound or fails to comply with the duty to co-operate. (Please be as precise as possible)

Policy 16 does not cover all the aspects under the heading Health and Emergency Services, nor takes into account of the impact of the number of people associated with the increased level of housing in a predominately Rural area.

258. "An ageing population is expected, (Not Will), to increase pressure on health care and social care.

There is no evidence to support the argument, section 259 that new housing will be adequately supported by available services. It can be safely assumed that in the case of Wool that 457 houses plus additional extras will support approximately 1,500 + men, women and children. There does not appear in the document mention of Wool Surgery which will have to administer this increase in numbers. Wool Surgery is the main large Rural practice taking in 11 village communities, with 6,200 patients and taking into account the additional numbers 8,000+. Wool Surgery is already running at capacity and as of todays date 3rd December 2018 the earliest appointment date unless an Emergency is 17th December 2018. No thought or consideration has been taken into account in the document/plan of the lack of Public Transport for patients at Bovington, Lulworth, Chaldon and other outlying villages in the catchment etc to be able get an appointment to fit in with what Public transport is available in order to attend the Wool Surgery or the means of returning home.

The remainder of this section 259 (b) identifies priorities. One of which is preventing ill health. Nowhere in the document is there mention of the impact of traffic pollution and the effects on wellbeing and health although Nor is there any suggestion to monitoring of asthma or other respiratory problems along the A351 & A352 corridor which the on going increase in traffic and CO2 levels may bring. However section 248 & 250 suggest suggests that part of the plan is to improve air quality.

For some obscure reason Bere Regis is mentioned in section 262 and that it is at capacity but there is room for expansion on the site, although there are only 105 houses allocated in the neighbourhood plan. One must presume that may also be the case in Wool. However there is no indication as to how this would be funded.

Having regard to your previous comments, please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound. You will need to say why this change will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording for any policy or text and where appropriate provide evidence necessary to support / justify the representation. (Please be as precise as possible)

Policy 16 does not address the broader issues of Health and Emergency Services. The policy in it's self refers only to the Middle school at Wareham and does not address the issues identified above. Therefore this Policy could be considered not fit for purpose.

Policy 13 does not bring to account air quality in the region, particularly along the corridors of high traffic levels and congestion.

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If you wish to participate in the oral part of the examination, please outline why you consider it to be necessary?

To draw to the attention of the inquiry that elements of the plan have not been satisfactorily addressed with regard to policy 13 & 16.

Comment

Consultee	Captain Malcolm Shakesby MBE (1190568)
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Event Name	Purbeck Local Plan Pre-submission Draft
Comment by	Captain Malcolm Shakesby MBE (1190568)
Comment ID	PLPP709
Response Date	03/12/18 17:22
Consultation Point	Policy EE2: Planning for employment (View)
Status	Processed
Submission Type	Web
Version	0.2
Are you responding on behalf of a group?	No
If yes, how many people do you represent?	1
Please tick the box(es) if you would like to be notified at an address/email address of the following:	
Which policy / paragraph number / policies map does your comment relate to?	EE4 & 12
Do you consider that the Local Plan is legally compliant?	No
Do you consider that the Local Plan is sound?	No
Do you consider that the Local Plan complies with the duty to co-operate?	No

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Policy EE4 Tourism and Policy 12 Improving Accessibility and Transport do not take into account of the levels of tourists now seeing Purbeck as a destination. EE4 relates in general to supporting tourism with new developments and accommodation but both Policies do not address a road system that is already over burdened and out of date and in reality not fit for purpose for traffic entering Purbeck particularly the A351 and A352 for Swanage, Studland, Lulworth Cove/Durdle Door, plus attractions such as Monkey World and the Tank Museum, the Palaeontology Museum at Kimmeridge.

If it is intended to attract more visitors then a road system fit for purpose has to be revisited. The roads into Purbeck are in the summer and other key holiday times grid locked. The Purbeck Plan does not address this problem but it is one that has been ongoing for at least 30 years as the traffic has steadily increased. In 1997-2001 the A351 was considered for a by-pass, this went before the Inspector at Public Inquiry but was turned down because of English Nature's (now Natural England) objections.

This issue of road networks into Purbeck needs urgently to be addressed and a satisfactory solution found if Tourism is to be a feature in supporting the local economy.

The 2004 Buro Hapold Purbeck Transportation Strategy covers this problem admirably, but the document is in general considered out of date but actually covers the period until 2021. Buro Hapold advised that there should be a re-examination of the feasibility and practicality of an A351 Sandford Bypass. There is no mention of this in this document, "The Purbeck Local Plan".

The delays due to traffic congestion for tourists and local residents, delivery of goods and the levels of pollution on the environment must be addressed.

Having regard to your previous comments, please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound. You will need to say why this change will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording for any policy or text and where appropriate provide evidence necessary to support / justify the representation. (Please be as precise as possible)

No consideration has been taken to address tourist traffic in EE4 or Policy 16. This needs to be taken into account and the document amended to address the issues

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If you wish to participate in the oral part of the examination, please outline why you consider it to be necessary?

To explain the impacts of Tourism on local communities and the lack of input in the document of tourist traffic.

Comment

Consultee	Miss Gill Sharples (1189982)
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Event Name	Purbeck Local Plan Pre-submission Draft
Comment by	Miss Gill Sharples (1189982)
Comment ID	PLPP63
Response Date	28/11/18 13:03
Consultation Point	Second homes (View)
Status	Processed
Submission Type	Web
Version	0.1
Are you responding on behalf of a group?	No

Please tick the box(es) if you would like to be notified at an address/email address of the following:

Which policy / paragraph number / policies map does your comment relate to? 187

Do you consider that the Local Plan is legally compliant? No

Do you consider that the Local Plan is sound? No

Do you consider that the Local Plan complies with the duty to co-operate? No

Please give details of why you consider this part of the Local Plan is / is not legally compliant, sound or fails to comply with the duty to co-operate. (Please be as precise as possible)

I have lived on Sunnyside for over 11 years and out of 14 houses, 4 are 2nd homes - 2 of which have been for 20 years. The last 4 houses to sell in Sunnyside/Bindon Road have been sold as holiday lets. The more 2nd homes and holiday lets we have the more the community spirit will diminish. Whilst they may bring in some seasonal income, they do not get involved in local events or contribute to the Parish.

New homes in Lulworth will be expensive due to the proximity to the coast and push the locals who work within our community out.

Having regard to your previous comments, please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound. You will need to say why this change will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording for any policy or text and where appropriate provide evidence necessary to support / justify the representation. (Please be as precise as possible)

Any new houses should be for permanent residents only who will reside in the village and contribute to the community.

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Comment

Consultee	Miss Gill Sharples (1189982)
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Event Name	Purbeck Local Plan Pre-submission Draft
Comment by	Miss Gill Sharples (1189982)
Comment ID	PLPP121
Response Date	29/11/18 18:25
Consultation Point	Chapter 1: Introduction (View)
Status	Processed
Submission Type	Web
Version	0.1
Are you responding on behalf of a group?	No
Please tick the box(es) if you would like to be notified at an address/email address of the following:	
Which policy / paragraph number / policies map does your comment relate to?	Policy H8 Small sites next to existing settlements
Do you consider that the Local Plan is legally compliant?	No
Do you consider that the Local Plan is sound?	No
Do you consider that the Local Plan complies with the duty to co-operate?	No

Please give details of why you consider this part of the Local Plan is / is not legally compliant, sound or fails to comply with the duty to co-operate. (Please be as precise as possible)

The Sunnyside and Bindon Road area of West Lulworth is in an area of outstanding natural beauty, most of which falls into the conservation area. There are currently 27 properties which would all be affected by the possibility of a further 44 houses over 3 small sites, swamping the current community.

Houses on Sunnyside are only accessible up a narrow track road, where there is no possibility for it to be widened and residents already experience issues with deliveries and refuse collections on a weekly basis due to inconsiderate parking (by non-residents)

With thousands of visitors and numbers increasing year on year West Lulworth is gridlocked in the summer and other holiday times. Parking is maxed out and tourists use the side roads instead, causing more disruption for residents.

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Comment

Consultee	Miss Gill Sharples (1189982)
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Event Name	Purbeck Local Plan Pre-submission Draft
Comment by	Miss Gill Sharples (1189982)
Comment ID	PLPP122
Response Date	29/11/18 18:32
Consultation Point	Chapter 4: Housing (View)
Status	Processed
Submission Type	Web
Version	0.1
Are you responding on behalf of a group?	No
Please tick the box(es) if you would like to be notified at an address/email address of the following:	
Which policy / paragraph number / policies map does your comment relate to?	Policy H8 Small sites next to existing settlements
Do you consider that the Local Plan is legally compliant?	No
Do you consider that the Local Plan is sound?	No
Do you consider that the Local Plan complies with the duty to co-operate?	No

Please give details of why you consider this part of the Local Plan is / is not legally compliant, sound or fails to comply with the duty to co-operate. (Please be as precise as possible)

The Sunnyside and Bindon Road area of West Lulworth is in an area of outstanding natural beauty, most of which falls into the conservation area. There are currently 27 properties which would all be affected by the possibility of a further 44 houses over 3 small sites, swamping the current community.

Houses on Sunnyside are only accessible up a narrow track road, where there is no possibility for it to be widened and residents already experience issues with deliveries and refuse collections on a weekly basis due to inconsiderate parking (by non-residents)

With thousands of visitors and numbers increasing year on year West Lulworth is gridlocked in the summer and in holiday time. Parking is maxed out and tourists use the side roads instead, causing more disruption for residents.

(Please note that the Planning Inspector will make the final decision on who will be invited to attend individual sessions at the examination, although all members of the public may observe the proceedings)

Only those who have made representations to the Local Plan during the statutory six week pre-submission publication period will be allowed to participate in the public examination.

If your representation is seeking a change to the Local Plan, do you consider it necessary to participate in the oral part of the examination? No

Comment

Consultee	Barry Shephard (1188361)
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Event Name	Purbeck Local Plan Pre-submission Draft
Comment by	Barry Shephard (1188361)
Comment ID	PLPP550
Response Date	03/12/18 20:36
Consultation Point	Wool - 470 homes, 65 bed care home, SANG, community hub and recreational space (View)
Status	Processed
Submission Type	Web
Version	0.1
Are you responding on behalf of a group?	No
Please tick the box(es) if you would like to be notified at an address/email address of the following:	
Which policy / paragraph number / policies map does your comment relate to?	H5
Do you consider that the Local Plan is legally compliant?	No
Do you consider that the Local Plan is sound?	No
Do you consider that the Local Plan complies with the duty to co-operate?	No

Please give details of why you consider this part of the Local Plan is / is not legally compliant, sound or fails to comply with the duty to co-operate. (Please be as precise as possible)

65 Bed Care home and Community Hub.

The Local plan shows a proposal for a new 65 Bed Care Home and Community Hub located South of the Dorchester Road between Burton Cross Roundabout in Wool and Chalk Pit Lane. It is placed within the 320 houses proposed for that site. **Neither the proposed care home nor the community hub was included in the consultation and have appeared in the plan with no attempt at public involvement or consultation.** Further, the community hub would duplicate facilities already located at the D'Urberville Centre, so that the Wool community would either be split, or one of the two facilities would become redundant. Even if both managed to run (for a time?) resources would be split and expenses duplicated. In a climate of financial constraint this is unsustainable, and to plan for such an eventuality, inexcusable.

In a village with few facilities beyond the basic it must be questioned whether Wool is the place to site such a carehome. Many local properties are small and single storey, therefore lending themselves to adaptations allowing infirm residents to stay in their own homes; an option that is both more affordable, and to the liking of many elderly persons and in line with central government aspirations for viable community structure. Most care home adverts highlight the proximity of local amenities and shops. Wool has few of these.

Recent local and national closures of care homes have highlighted the difficulty of running such establishments in a viable, sustainable or affordable way.

Patients of Wellbridge Practice, the only doctors' surgery available to residents of Wool Parish and beyond, must already wait an unacceptable time for appointments. I understand that this is due to difficulties in staff recruitment and retention, and not to the capacity and facilities potentially available in the new building. The arrival of 65 more, inevitably medically needy patients, on the Practice list can only exacerbate this already unsatisfactory and worrying situation. It will increase pressure on both the medical staff and the administration of the practice. Patients will receive an even poorer service than they do now. I must stress that this is not a criticism of the Wellbridge Practice, but of the pressures which deny the recruitment of Doctors, nursing and ancillary staff to rural practices. Pressures which will not be alleviated by current housing policies which parade unrealistic 'affordable' housing allocation.

This proposal fails the criteria both for consultation of the public (duty to co-operate) and for soundness in concept. As the 65 bed care home was not included in any consultation prior to this it fails to comply with any statement of community involvement.

SANG

The proposed **Suitable Alternative Natural Greenspace (SANG)** may well enhance the recreational opportunities for adults, children and their dogs but, by its very nature and intention it will reduce the biodiversity contained within its boundaries. The proposed SANG is therefore deeply flawed in concept with inevitable loss of biodiversity resulting from hard infrastructure construction and associated increased footfall. This will encourage mass access to a woodland already good for wildlife bringing about further decrease of biodiversity and species abundance in the woodland itself. Reinvented as a SANG this habitat can only be degraded for wildlife and cannot be put forward to compensate for biodiversity loss elsewhere.

Having regard to your previous comments, please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound. You will need to say why this change will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording for any policy or text and where appropriate provide evidence necessary to support / justify the representation. (Please be as precise as possible)

The proposal to construct an additional community hub in competition with the existing D'Urberville Centre is divisive for our community and wasteful of resources ie unsustainable. If funds are, indeed, available for such a venture they should be channeled into the existing facilities at the D'Urberville.

The proposed SANG which would, by its very nature and purpose degrade the biodiversity and conservation value of an existing biodiverse woodland, it must be relocated to a site where it will provide the desired amenities without spoiling existing valuable habitat.

(Please note that the Planning Inspector will make the final decision on who will be invited to attend individual sessions at the examination, although all members of the public may observe the proceedings)

Only those who have made representations to the Local Plan during the statutory six week pre-submission publication period will be allowed to participate in the public examination.

If your representation is seeking a change to the Local Plan, do you consider it necessary to participate in the oral part of the examination? No

Comment

Consultee	Barry Shephard (1188361)
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Event Name	Purbeck Local Plan Pre-submission Draft
Comment by	Barry Shephard (1188361)
Comment ID	PLPP584
Response Date	03/12/18 18:18
Consultation Point	Policy E10: Biodiversity and geodiversity (View)
Status	Processed
Submission Type	Web
Version	0.4
Files	3-great-crested-newt-larvae.pdf Male-great-crested-newt.pdf Female-great-crested-newt.pdf
Are you responding on behalf of a group?	No
Please tick the box(es) if you would like to be notified at an address/email address of the following:	
Which policy / paragraph number / policies map does your comment relate to?	E10
Do you consider that the Local Plan is legally compliant?	No
Do you consider that the Local Plan is sound?	No
Do you consider that the Local Plan complies with the duty to co-operate?	No

Please give details of why you consider this part of the Local Plan is / is not legally compliant, sound or fails to comply with the duty to co-operate. (Please be as precise as possible)

The Garden at Solitaire (**SY8364 8675**) displays a richly bio-diverse fauna and flora. This is supported by the organically farmed sheep pasture, occasionally given over to fodder crops, sited immediately to the West at **SY8363 8675** and beyond. This pasture and arable land is the proposed development site for 90 new houses. No biodiversity appraisal has been carried out on the population of Great Crested Newts centred on our property E10, neither can I detect any attempt in the plan to enhance biodiversity through **improvement** or **creation** of habitats for this species nor support the growing/recovering populations of red listed Bullfinch and the nationally 'struggling' Greenfinch.

Wildlife biodiversity has been monitored at **SY8364 8675** since 2000, and for the last 10 years via the British Trust for Ornithology's (BTO) Garden Birdwatch (GBW) scheme, a weekly record targeting bird, mammal, reptile & amphibian spp and selected insect spp. It is also an active site used for training on the BTO ringing scheme, currently supporting two young candidates who have achieved their intermediate stage, with a prospective young person who is considering to join the scheme as a trainee. Bird ringing has been undertaken here since 2006.

Notable species present are Common Frog *Rana temporaria* and Toad *Bufo bufo* and all three species of British Newt breed in the pond, including red listed **Great Crested Newt** *Triturus cristatus*. The pond is situated within 5 metres of the proposed development. The population of Great Crested Newt has been monitored for ten years via GBW and is recorded at Dorset Environmental Records Centre. During their terrestrial phase Great Crested Newts will utilise and forage in the land proposed for development. If development is allowed the population will have a greatly reduced and compromised area available for their terrestrial phase. Slow worm *Anguis fragilis*, common lizard *Lacerta vivipara* and grass snake *Natrix natrix* are also present and recorded.

Two notable bird species monitored at this site are **Bullfinch** *Pyrrhula pyrrhula* (Red Listed) and Greenfinch *Carduelis chloris* (Currently Green Listed, but soon to be taken onto the Red List due to its national catastrophic decline in numbers resulting from *Trichomoniasis* infection). Both species have shown recent increase in numbers of adults and juveniles at this site, no doubt due largely to the rich feeding and nesting sites provided by adjacent organic farmland, which will enhance the viability and health of these species. A table is provided below illustrating the increase of Bullfinch, and the recovery of Greenfinch numbers at **SY8364 8675**.

Bullfinch

Greenfinch

Av. per week

Weeks none seen

Max count in one week

Total seen for year

Av. per week

Weeks none seen

Max count in one week

Total seen for year

2018(47wks)

2.74

10

Bullfinch	Greenfinch							
	Av. per week	Weeks none seen	Max count in one week	Total seen for year	Av. per week	Weeks none seen	Max count in one week	Total seen for year
2018(47wks)	2.74	10	6	129	3.83	6	15	180
2017	2.12	15	6	110	2.19	8	6	114
2016	0.66	28	2	35	1.75	11	6	93
2015	2.21	41	2	11	1.15	14	5	60
2014	0.04	51	2	2	2.87	10	5	149

The site supports overwintering populations of Reed Bunting *Emberiza schoeniclus*, a species used as an indicator of farmland health, along with Siskin *Carduelis spinus*. Goldfinch *Carduelis carduelis*, drawn in from the surrounding farmland, are recorded in large numbers. Ringing data show Reed Bunting as moving both up and down stream along the Frome. Siskin have been recorded moving between this site and North Wales, Aberdeenshire and Finland, and Goldfinch ringed here have been recorded in Pembrokeshire and Co Cork.

The proposed development at **SY8363 8675** will degrade the rich bio-diversity of this locality. The proposed Suitable Alternative Natural Greenspace (**SANG**) may well enhance the recreational opportunities for adults, children and their dogs but, by its very nature and intention it will reduce the biodiversity contained within its boundaries. The proposed SANG is therefore deeply flawed in concept with inevitable loss of biodiversity resulting from hard infrastructure construction and associated increased footfall. This will encourage mass access to a woodland already good for wildlife bringing about further decrease of biodiversity and species abundance in the woodland itself. Reinvented as a SANG this habitat can only be degraded for wildlife and cannot be put forward to compensate for biodiversity loss elsewhere. In no way could such a SANG mitigate against the loss of bio-diverse habitat and associated populations of birds, mammals, herpetiles and insects at **SY8364 8675** and surrounding locality, or indeed anywhere else.

No Biodiversity appraisal has been carried out by PDC on the population of Great Crested Newts centred on the pond at SY8363 8675, nor on the other species; bird, mammal, herpetile and insect found in this richly biodiverse habitat as is required in section E10 of the Presubmission document.

The proposal is unsound.

Having regard to your previous comments, please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound. You will need to say why this change will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording for any policy or text and where appropriate provide evidence necessary to support / justify the representation. (Please be as precise as possible)

The existing population of Great Crested Newt must be provided with sufficient undisturbed rough grassland to the west of the pond at SY8363 8675 for it to continue to flourish. A suitably planted buffer zone should be provided, with new ponds to allow the secure continuation of the newt population and provide nesting and feeding sites for the two highlighted bird species, along with the diverse other species recorded at our site.

The proposed SANG is entirely unsuitable for the reasons stated above. An alternative site for the SANG must be provided where the recreational activities of people and dogs do not negatively impact upon an existing bio-diverse habitat.

If your representation is seeking a change to the Local Plan, do you consider it necessary to participate in the oral part of the examination?

No

Attachments:

 [Female-great-crested-newt.pdf](#) (Size: 5,131.55K)
 [Male-great-crested-newt.pdf](#) (Size: 5,398.99K)

6

129

3.83

6

15

180

2017

2.12

15

6

110

2.19

8

6

114

2016

0.66

28

2

35

1.75

11

6

93

2015

2.21

41

2

11

1.15

14

5

60

2014

0.04

51

2

2

2.87

10

5

149

The site supports overwintering populations of Reed Bunting *Emberiza schoeniclus*, a species used as an indicator of farmland health, along with Siskin *Carduelis spinus*. Goldfinch *Carduelis carduelis*, drawn in from the surrounding farmland, are recorded in large numbers. Ringing data show Reed Bunting as moving both up and down stream along the Frome. Siskin have been recorded moving between this site and North Wales, Aberdeenshire and Finland, and Goldfinch ringed here have been recorded in Pembrokeshire and Co Cork.

The proposed development at **SY8363 8675** will degrade the rich bio-diversity of this locality. The proposed **Suitable Alternative Natural Greenspace (SANG)** may well enhance the recreational opportunities for adults, children and their dogs but, by its very nature and intention it will reduce the biodiversity contained within its boundaries. The proposed SANG is therefore deeply flawed in concept with inevitable loss of biodiversity resulting from hard infrastructure construction and associated increased footfall. This will encourage mass access to a woodland already good for wildlife bringing about further decrease of biodiversity and species abundance in the woodland itself. Reinvented as a SANG this habitat can only be degraded for wildlife and cannot be put forward to compensate for biodiversity loss elsewhere. In no way could such a SANG mitigate against the loss of bio-diverse habitat and associated populations of birds, mammals, herpetiles and insects at **SY8364 8675** and surrounding locality, or indeed anywhere else.

No Biodiversity appraisal has been carried out by PDC on the population of Great Crested Newts centred on the pond at SY8363 8675, nor on the other species; bird, mammal, herpetile and insect found in this richly biodiverse habitat as is required in section E10 of the Presubmission document.

The proposal is unsound.

Having regard to your previous comments, please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound. You will need to say why this change will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording for any policy or text and where appropriate provide evidence necessary to support / justify the representation. (Please be as precise as possible)

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The proposed SANG is entirely unsuitable for the reasons stated above. An alternative site for the SANG must be provided where the recreational activities of people and dogs do not negatively impact upon an existing bio-diverse habitat.

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If your representation is seeking a change to the Local Plan, do you consider it necessary to participate in the oral part of the examination? No







Comment

Consultee	Christine Shuter (1191414)
Email Address	[REDACTED]
Address	[REDACTED]
Event Name	Purbeck Local Plan Pre-submission Draft
Comment by	Christine Shuter (1191414)
Comment ID	PLPP571
Response Date	03/12/18 12:11
Consultation Point	Policy H5: Wool (View)
Status	Processed
Submission Type	Letter
Version	0.5
Files	H5-Shuter-PLPP571-redacted.pdf
Are you responding on behalf of a group?	No
Please tick the box(es) if you would like to be notified at an address/email address of the following:	
Which policy / paragraph number / policies map does your comment relate to?	H5
Do you consider that the Local Plan is legally compliant?	No
Do you consider that the Local Plan is sound?	No
Do you consider that the Local Plan complies with the duty to co-operate?	No



For Office Use Only

Requester ID: 0040
 Consultee ID: 1191414
 Comment ID's: PLPP571

PART B

1. Which part of the Purbeck Local Plan does your representation relate to? Separate forms must be completed for each separate policy or paragraph you wish to comment on.

Policy number	H5
Policies map	
Paragraph number	

2. Do you consider that the Local Plan is:

- | | | | | |
|---|-----|--------------------------|----|-------------------------------------|
| • Legally compliant | Yes | <input type="checkbox"/> | No | <input checked="" type="checkbox"/> |
| • Sound | Yes | <input type="checkbox"/> | No | <input checked="" type="checkbox"/> |
| • Complies with the duty to co-operate. | Yes | <input type="checkbox"/> | No | <input checked="" type="checkbox"/> |

If your representation relates to how the Council has prepared the Local Plan it is likely to relate to legal compliance. The Plan must:

- comply with Section 20 of the Planning and Compulsory Purchase Act 2004 and other related legislation;
- be in accordance with the Council's Local Development Scheme and Statement of Community Involvement;
- comply with the Town and Country Planning (Local Planning) (England) Regulations 2012, national planning policy and the duty to co-operate in relation to planning of sustainable development (section 110 of Localism Act 2011).

If your representation relates to the content of the Local Plan, it is likely to relate to its soundness. To be considered sound the plan must be:

- positively prepared - providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
- justified - an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
- effective - deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
- consistent with national policy - enabling the delivery of sustainable development in accordance with the policies in the Government's National Planning Policy Framework.

If your representation relates to how the Council has consulted with other relevant bodies during the plan making process, it is likely to relate to how the plan process has complied with the duty to co-operate in relation to the planning of sustainable development.

3. Please give details of why you consider the policy, policies map or paragraph number of the Local Plan is / is not legally compliant, sound or fails to comply with the duty to co-operate. (Please be as precise as possible).

(Please continue on a separate sheet if necessary)

PDC form, Policy H5, Replies to Questions 3 and 4

The plan is completely flawed. A project of this size should not be considered until a plan for the necessary improvements to infrastructure have been prepared, agreed and become contractually legally binding. Thereafter, the infrastructure work should be completed whilst the housebuilding plans are considered. If the council were to proceed with housebuilding before the enhancements are complete, there would be considerable increase in danger to public health and safety..

Those dangers are:

Traffic

The Dorchester Road is already dangerous and polluted. There have been a number of deaths over recent years. An increase in car owners living in the village, perhaps an additional 2,000, would obviously be a liability. A by-pass is also essential to divert the heavy traffic away from the village.

Sewage

The Sewage Works is at full capacity and would need to be developed to cope with extra households. This would avoid a potential outbreak of water-born disease (e.g. dysentery, typhoid, cholera).

Flooding

The village has been subject to flooding for many years and no increase in the flood defences would be completely irresponsible.

Healthcare

The local medical centre, Wellbridge, is overstretched already with substantial waiting times for appointments with the doctors there. An additional 2,000 patients would cause the practice to collapse.

So, my answers are:

The Local Plan is not legally compliant because it endangers the lives of local residents. It is certainly not sound for the reasons I have described relating to infrastructure and health. It fails to comply with the duty to co-operate with the wishes and concerns of local residents, the majority of whom are not in favour of the project. There is evidence that the Consultation has been designed to prevent large numbers of our community from responding easily and fully to their concerns. Furthermore, PDC appears to have failed to comply and co-operate with people who have elected them and pay their salaries via their council tax. Likewise, the Local Plan has been developed thus far at enormous cost to we tax payers without proper consultation.

4. Having regard to your comments in question 3, please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound. You will need to say why this change will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording for any policy or text and where appropriate provide evidence necessary to support/justify the representation. (Please be as precise as possible)

(Please continue on a separate sheet if necessary)

5. If your representation is seeking a change to the Local Plan, do you consider it necessary to participate in the oral part of the examination? Please note that the Planning Inspector will make the final decision on who will be invited to attend individual sessions of the examination, although all members of the public may observe the proceedings. Only those who have made representations to the Local Plan during the statutory six week pre-submission publication period will be allowed to participate in the public examination.

Yes

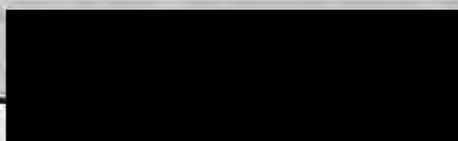
No

6. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary?

(Please continue on a separate sheet if necessary)

Please sign and date this form:

Signature:



Date:

3/12/2018

Comment

Consultee	Robin Shuter (1191443)
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] [REDACTED]
Event Name	Purbeck Local Plan Pre-submission Draft
Comment by	Robin Shuter (1191443)
Comment ID	PLPP573
Response Date	03/12/18 13:28
Consultation Point	Policy H5: Wool (View)
Status	Processed
Submission Type	Letter
Version	0.3
Files	H5-Shuter-PLPP573-redacted.pdf
Are you responding on behalf of a group?	No
Please tick the box(es) if you would like to be notified at an address/email address of the following:	
Which policy / paragraph number / policies map does your comment relate to?	H5
Do you consider that the Local Plan is legally compliant?	No
Do you consider that the Local Plan is sound?	No
Do you consider that the Local Plan complies with the duty to co-operate?	No

If your representation relates to how the Council has consulted with other relevant bodies during the plan making process, it is likely to relate to how the plan process has complied with the duty to co-operate in relation to the planning of sustainable development.

3. Please give details of why you consider the policy, policies map or paragraph number of the Local Plan is / is not legally compliant, sound or fails to comply with the duty to co-operate. (Please be as precise as possible).

(Please continue on a separate sheet if necessary)

PDC form, Policy H5, Replies to Questions 3 and 4

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Those dangers are:

Traffic

The Dorchester Road is already dangerous and polluted. There have been a number of deaths over recent years. An increase in car owners living in the village, perhaps an additional 2,000, would obviously be a liability. A by-pass is also essential to divert the heavy traffic away from the village.

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The Sewage Works is at full capacity and would need to be developed to cope with extra households. This would avoid a potential outbreak of water-borne disease (e.g. dysentery, typhoid, cholera).

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The village has been subject to flooding for many years and no increase in the flood defences would be completely irresponsible.

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4. Having regard to your comments in question 3, please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound. You will need to say why this change will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording for any policy or text and where appropriate provide evidence necessary to support/justify the representation. (Please be as precise as possible)

(Please continue on a separate sheet if necessary)

5. If your representation is seeking a change to the Local Plan, do you consider it necessary to participate in the oral part of the examination? Please note that the Planning Inspector will make the final decision on who will be invited to attend individual sessions of the examination, although all members of the public may observe the proceedings. Only those who have made representations to the Local Plan during the statutory six week pre-submission publication period will be allowed to participate in the public examination.

Yes

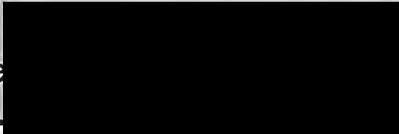
No

6. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary?

(Please continue on a separate sheet if necessary)

Please sign and date this form:

Signature



Date: 1/12/2018

Comment

Consultee	Ms Amanda Simmonds (1191209)
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Event Name	Purbeck Local Plan Pre-submission Draft
Comment by	Ms Amanda Simmonds (1191209)
Comment ID	PLPP553
Response Date	03/12/18 21:14
Consultation Point	Policies List (View)
Status	Processed
Submission Type	Web
Version	0.1

Are you responding on behalf of a group? No

Please tick the box(es) if you would like to be notified at an address/email address of the following:

Which policy / paragraph number / policies map does your comment relate to? Lytchett Matravers

Do you consider that the Local Plan is legally compliant? No

Do you consider that the Local Plan is sound? No

Do you consider that the Local Plan complies with the duty to co-operate? No

Please give details of why you consider this part of the Local Plan is / is not legally compliant, sound or fails to comply with the duty to co-operate. (Please be as precise as possible)

We were told when buying our property it's was a green belt, wouldn't be built on.

Having regard to your previous comments, please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound. You will need to say why this change will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording for any policy or text and where appropriate provide evidence necessary to support / justify the representation. (Please be as precise as possible)

its green belt !!!

(Please note that the Planning Inspector will make the final decision on who will be invited to attend individual sessions at the examination, although all members of the public may observe the proceedings)

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If your representation is seeking a change to the Local Plan, do you consider it necessary to participate in the oral part of the examination? Yes

If you wish to participate in the oral part of the examination, please outline why you consider it to be necessary?

Because we live in a green belt.

Comment

Consultee	Mr Andrew Ardley (1189921)
Email Address	[REDACTED]
Company / Organisation	South Western Railway
Address	Friars Bridge Court 41-45 Blackfriars Road London SE1 8NZ
Event Name	Purbeck Local Plan Pre-submission Draft
Comment by	South Western Railway (Mr Andrew Ardley - 1189921)
Comment ID	PLPP140
Response Date	30/11/18 13:07
Consultation Point	Policy H5: Wool (View)
Status	Processed
Submission Type	Web
Version	0.2

Are you responding on behalf of a group? No

Please tick the box(es) if you would like to be notified at an address/email address of the following:

Which policy / paragraph number / policies map does your comment relate to? H5

Do you consider that the Local Plan is legally compliant? Yes

Do you consider that the Local Plan is sound? Yes

Do you consider that the Local Plan complies with the duty to co-operate? Yes

Having regard to your previous comments, please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound. You will need to say why this change will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested

revised wording for any policy or text and where appropriate provide evidence necessary to support / justify the representation. (Please be as precise as possible)

It should be noted that the land to the north of the railway line is likely to increase the usage of the uncontrolled footpath crossing linking with Bailey's Drove, particularly as this is the most direct route towards the town centre and schools. Discussions should be held with Network rail on the options for this crossing given this increased risk. This could include closure and the need to provide a new pedestrian bridge (with ramps) linking the allocated land north and south of the railway line.

(Please note that the Planning Inspector will make the final decision on who will be invited to attend individual sessions at the examination, although all members of the public may observe the proceedings)

Only those who have made representations to the Local Plan during the statutory six week pre-submission publication period will be allowed to participate in the public examination.

If your representation is seeking a change to the Local Plan, do you consider it necessary to participate in the oral part of the examination? No

Comment

Agent	Ms Annie Gingell (1191063)
Email Address	[REDACTED]
Company / Organisation	Tetlow-King
Address	unknown unknown unknown
Consultee	(1191081)
Company / Organisation	South West HARP Planning Consortium
Address	unknown unknown unknown
Event Name	Purbeck Local Plan Pre-submission Draft
Comment by	South West HARP Planning Consortium (- 1191081)
Comment ID	PLPP613
Response Date	03/12/18 09:54
Consultation Point	Chapter 4: Housing (View)
Status	Processed
Submission Type	Letter
Version	0.3
Files	tetlow-king-south-west-HARP-1191063.pdf
Are you responding on behalf of a group?	No
Please tick the box(es) if you would like to be notified at an address/email address of the following:	<input type="checkbox"/> The submission of Local Plan to the Secretary of State for Public Examination <input type="checkbox"/> The publication of the recommendations of any person appointed to carry out an the Examination of the Local Plan (the Inspector's Report) <input type="checkbox"/> The adoption of the Purbeck Local Plan
Which policy / paragraph number / policies map does your comment relate to?	H3 H11 H12 I1



T: [REDACTED]
F: [REDACTED]

E: [REDACTED]
W: www.tetlow-king.co.uk

Planning Policy
Purbeck District Council
Westport House
Worgret Road
Wareham Dorset
BH20 4PP

Date: 3 December 2018

Our Ref: AG M5/0109-24

By email only:
localplan@purbeck-dc.gov.uk

Dear Sir or Madam

RE: PURBECK LOCAL PLAN PRE-SUBMISSION CONSULTATION

We represent the **South West HARP Planning Consortium** which includes all the leading Housing Association Registered Providers (HARPs) across the South West. Our clients' principal concern is to optimise the provision of affordable housing through the preparation of consistent policies that help deliver the wider economic and social outcomes needed throughout the South West region.

Viability Study

We note that the Council has produced new Viability Report Update (2018) to support the Draft Charging Schedule and Local Plan Pre-Submission, and are encouraged that this has sought to reflect the latest definition of affordable housing as set out in Annex 2 of the NPPF, and those other changes introduced through the revised Framework and accompanying Guidance.

Strategic Housing Market Assessment (SHMA)

We are similarly pleased to see that the Council commissioned an update to its SHMA and that this was produced using the 2014-based household projections. As the Council will by now be aware, following publication of the standard method of assessing housing need in July 2018 the Government has acknowledged the cyclical nature of the method of producing those projections and the resulting impact this has on suppressing housing need figures. As the Government has indicated that it wishes to revert in the interim period to using the 2014-based projections the SHMA does not need to be immediately revisited.

It is interesting to note that the SHMA at paragraph 4.46 recommends that the Council widen its housing register to note the numbers of households who wish to access some form of affordable home ownership. The analysis of housing need has quite rightly responded to the revised definition of affordable housing as set out in the NPPF by accounting for need in the overall housing figures, but to properly respond to this revised definition it is important that the Council targets provision at households meeting that widened definition of need. To ensure effective targeting of delivery we strongly encourage the Council to widen its housing register once more to monitor households meeting that definition of need.

As also recognised in the SHMA, encouraging the provision of affordable home ownership tenures – which includes shared ownership as already allowed for in adopted policy – “*could potentially increase the overall level of delivery of affordable housing*” (paragraph 4.50) and should be adopted as a flexible response in policy to not only housing need, but the practical need to deliver viable development. As Registered Providers seek to provide homes that meet a wide spectrum of housing needs, we support the position adopted in the SHMA.

Policy H3: New housing development requirements

This policy sets out a reasonable approach to managing development on the sites allocated in this new Local Plan. We are concerned however that the Council has not properly considered the implications of the requirement for charging points on all new development which is generally supported as a pragmatic response to air quality concerns and future-proofing but not fully costed or understood from a practical implementation view.

We are aware that engineers advising local authorities on this particular issue recognise the difficulties and complications of providing electric vehicle charging points, requiring considerable assessment of existing supplies and location and installation by competent persons. This requirement is clearly more deliverable on greenfield locations but even so the advice we have seen encourages local authorities to produce a dedicated developers guide and specification prior to implementing such a policy in local plans. The costings for such an obligation should be more fully understood before it is implemented in the plan as this will affect the viability of the allocated sites; should this prove more challenging than assumed within the Viability Update Report then this has the potential to squeeze the delivery of affordable housing on those schemes. We ask that the Council procure further costings and fully understand the delivery implications of this requirement prior to introduction in this local plan in **Policies H3** and **I2**.

Provide a mix of housing that meets the needs of local people

It is important that policies are sufficiently flexible to recognise that applications may come forward with a mix that reflects local housing needs, demand and the specific circumstances of each location. The inclusion of the table summarising the recommended mix of housing in Purbeck is therefore welcomed, so long as this is not used rigidly to refuse planning applications with housing mixes that diverge from those identified percentages. It would be useful to include wording alongside **paragraphs 151** and **152** indicating that the Council encourages mixes that generally accord with that set out in the table, but that alternative mixes reflecting local needs will also be supported.

Policy H11: Affordable housing

Policy H11 indicates that on sites between 2 and 9 dwellings the Council will require an affordable housing contribution in the form of a commuted sum. The site typologies in Figure 2 of the Viability Report Update provide a reasonable range of development typologies to test in this evidence, however this has not sought to test schemes of two dwellings or more, starting instead at five dwellings.

Seeking commuted sums on such small schemes would appear to be a reasonable response to the practical difficulties of delivering and managing small numbers of affordable housing on small schemes, but this must still be tested to ensure the practical effect of the policy does not unduly burden developers and the Council's development management staff alike. This element of the policy should be reviewed as a priority if the Plan is to be found sound at examination.

We support the reference within the policy to consulting with the Council's housing strategy team and Registered Providers on variations to the identified tenure mix. We do however recommend that the tenure mix set out in the second table of this policy is not set as a blanket requirement, but is instead 'encouraged' as there are likely to be schemes on which a greater proportion, for example, of social rented may be achieved, or the delivery of more affordable home ownership properties will deliver a viable development. As our members not only deliver homes through Section 106 acquisitions but also through standalone developments it is important for the policy to take a consistently pragmatic approach.

In relation to distributing affordable housing throughout mixed tenure schemes, a practical approach should be taken by the Council, allowing for clusters of affordable housing as full pepper-potting can cause management and maintenance issues for Registered Providers. This will also enable affordable housing to be brought forward early in the delivery of individual developments.

Policy H12: Rural exception sites

This policy is largely supportive of the delivery of rural exception sites, and is to be supported. **Point c** of the policy is problematic however, and is inconsistent with national planning policy which does not place a requirement for rural exception sites to reflect the size of the village it most closely relates to et cetera. Those requirements are set out in relation to entry-level exception sites; if the Council wishes to support such sites it should set this out within a separate policy clearly demarcating the differences between each. Similarly, the NPPF requires affordable housing delivered on rural exception sites to be secured *in perpetuity*, but has no such requirement for affordable housing delivered on entry-level exception sites, supporting the need to set out a separate policy (and monitoring indicator) on these sites.

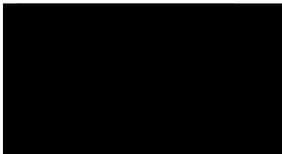
Policy I1: Infrastructure contributions

The Council needs to provide a definition of 'small sites' in order to provide clarity and certainty to applicants when assessing the scale of potential contributions that may be sought from development through this policy. We have also addressed this in our response to the CIL Charging Schedule, but this must also be addressed here to be effective.

As affordable housing provision meets the needs of households already in a local area it is illogical to require financial contributions towards infrastructure such as GP surgeries and schools which will already be in use. We ask that the Council set out an exemption for affordable housing to ensure that this can continue to be brought forward in sufficient numbers to meet local housing needs.

We would like to be consulted on any further consultation on the Local Plan and notified when this is submitted for examination, by email only to consultation@tetlow-king.co.uk. Please ensure that the **South West HARP Planning Consortium** is retained on the planning policy database, with **Tetlow King Planning** listed as their agent.

Yours faithfully



ANNIE GINGELL BSc (Hons)
Assistant Planner
For and On Behalf Of
TETLOW KING PLANNING

Cc: Aster Group
Guinness Partnership
Sovereign Housing Association
Stonewater Ltd

Fiona Brown - Housing Enabling Officer

Comment

Consultee	Mr Mark Furnish (996269)
Email Address	[REDACTED]
Company / Organisation	Sport England
Address	1st Floor London WC1B 3HF
Event Name	Purbeck Local Plan Pre-submission Draft
Comment by	Sport England (Mr Mark Furnish - 996269)
Comment ID	PLPP658
Response Date	28/11/18 10:02
Consultation Point	Policies List (View)
Status	Processed
Submission Type	Letter
Version	0.3
Files	sport-england-996269-PLPP658.pdf

Please tick the box(es) if you would like to be notified at an address/email address of the following:

Which policy / paragraph number / policies map does your comment relate to? Many

Do you consider that the Local Plan is sound? No

Please give details of why you consider this part of the Local Plan is / is not legally compliant, sound or fails to comply with the duty to co-operate. (Please be as precise as possible)

See attached

Having regard to your previous comments, please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound. You will need to say why this change will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording for any policy or text and where appropriate provide evidence necessary to support / justify the representation. (Please be as precise as possible)

See attached

From: Mark Furnish [REDACTED]
Sent: 28 November 2018 10:30
To: email-LocalPlan
Cc: Bob Sharples
Subject: Purbeck Local Plan: Pre submission draft

Dear Sir/Madam,

PURBECK LOCAL PLAN – PRE-SUBMISSION DRAFT 2018-2034

Thank you for consulting Sport England on the pre-submission draft. Sport England has an established role within the planning system which includes providing advice and guidance on all relevant areas of national and local policy as well as supporting Local Authorities in developing their evidence base for sport.

Sport England aims to ensure positive planning for sport by enabling the right facilities to be provided in the right places based on robust and up-to-date assessments of need for all levels of sport and for all sectors of the community. To achieve this aim our planning objectives are to PROTECT sports facilities from loss as a result of redevelopment, ENHANCE existing facilities through improving their quality, accessibility and management and to PROVIDE new facilities that are fit for purpose and meet demands for participation now and in the future. You will also be aware that Sport England is a statutory consultee on planning applications affecting playing fields. Further detail on Sport England's role and objectives within the planning system can be found via the following link:

<https://www.sportengland.org/facilities-planning/planning-for-sport/aims-and-objectives/>

Sport England has reviewed the pre-submission in light of these planning objectives and national planning policy set out in the National Planning Policy Framework (NPPF) and does not consider that the pre-submission draft complies with this policy framework. Sport England therefore does not consider its policies and supporting text are sound and **objects to the pre-submission draft**. These objections and other comments relating to the document are detailed out below:

Objectives

The reference to healthy communities within the infrastructure objective is welcomed however healthy communities do not solely rely on walking and cycling and access to open space. Sport and leisure facilities and activating open areas and green/blue infrastructure also contributes to the health and wellbeing of a population, as does the design and layout of developments, particularly large housing developments.

Green Belt

Although Policy V2 seeks to protect areas of Green Belt the Local Plan does advocate loss in some areas. The Green Belt provides important opportunities for sport and physical activity therefore the loss of such areas would reduce the public's ability to have access to areas for sport and recreation. The reduction in Green Belt, therefore, could be detrimental to the populations overall health and wellbeing and could result in added difficulties for the Council in meeting its objective to encourage healthy communities.

Design

Sport England considers that the design of where communities live and work is key to keeping people active and placemaking should create environments that make the active choice the easy choice. Sport England along with Public Health England have launched our revised guidance, Active Design, which intends to inform the urban design of places, neighbourhoods, buildings, streets and active open spaces to promote sport and active lifestyles. The guide sets out ten principles to consider when designing places that would contribute to creating well designed

healthy communities which has considerable synergy to the objectives of the pre-submission draft, particularly in relation to encouraging healthy communities. Sport England recommend that these links between the pre-submission draft and Active Design are developed further and are really drawn out in the pre-submission by having clear references to Active Design, its principles and the Active Design Checklist within the Local Plan. Active Design principles and the checklist, for example, could be added to the design requirements in Policy E12, referred to in the proceeding paragraphs 102 to 105 and including within specific site allocation policies and Policy H3. More information on Active Design, including the guidance, can be found via the following link;

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

Policy H3 New Housing Development Requirements and Site Allocation Policies

The occupiers of new development, especially residential, will generate demand for sporting provision. The existing provision within an area may not be able to accommodate this increased demand without exacerbating existing and/or predicted future deficiencies. Therefore, Sport England considers that new developments should contribute towards meeting the demand that they generate through the provision of on-site facilities and/or providing additional capacity off-site. The level and nature of any provision should be informed by a robust evidence base such as the up to date Active Dorset: Sport & Leisure Facilities Needs Assessment and a Playing Pitch Strategy (PPS).

The pre-draft submission does not focus on future sporting needs arising from development with only minimal mention in Policies I1 and I4 (see below) but even then the policies either do not focus on provision based on strategic identified needs or there is a lack of evidence base to be able to do so.

Policy EE1 – Employment Land Supply

Sport makes a huge contribution to the lives of individuals, to the economy and to society. Sport England has undertaken research to examine the economic value of sport in England. The main conclusions are:

In 2010, sport and sport-related activity generated Gross Value Added (GVA) of £20.3 billion – 1.9% of the total GVA in England. This placed sport within the top 15 industry sectors in England and higher than sale and repair of motor vehicles, insurance, telecoms services, legal services and accounting (**Economic value of sport in England June 2013 published by Sport England*).

- Sport and sport-related activity is estimated to support over 400,000 full-time equivalent jobs – 2.3% of all jobs in England.

Sport also generates a range of wider benefits, both for individuals and society:

- The benefits of playing sport include the well-being/ happiness of individuals taking part, improved health and education, a reduction in youth crime, environmental benefits, stimulating regeneration and community development, and benefits to the individual and wider society through volunteering.
- Consumption of sport benefits include the well-being/ happiness of spectators, and the national pride/feel good factor through sporting success/achievement.
- The economic value of sport in terms of health and volunteering in England is estimated in 2011-2012 to have been £2.7 billion per annum for volunteering and £11.2 billion per annum for health.

Traditional forms of employment have been changing in the last 100 years, unfortunately the perception of what employment land is, has not. The introduction of B8 distribution challenged local authorities in the 80's and '90s as more of these uses came forward. Sport is often overlooked as an employer.

It is Sport England's contention that Purbeck should consider D2 sports uses; fitness clubs, gyms, climbing centres and five aside centres, to be acceptable on employment sites, as they do create sustainable employment opportunities and provide work experience and qualifications. When sports facilities are designed in as part of an employment part

e.g. Wolverhampton Business Park or Harwell Science Park, it creates a better and more sustainable working environment and therefore an attractive area for business to locate in or relocate to. Furthermore, it should not be overlooked that there are usually more employment opportunities generated through a commercial gym, e.g. David Lloyd Gyms, or commercial football, e.g. Football First, or a gymnastics club (D2 uses), than a 500,000m² B8 use.

Sport England therefore recommends that safeguard sites for B1, B2 and B8 uses is expanded to include sport and recreation facilities which could complement the more traditional 'employment uses' or create more employment opportunities.

Policy EE3 – Vibrant Town and Local Centres.

Policy EE3 allows the loss of D2 uses provided the loss would not affect the vitality of the town centre and there is no market interest for the D2 use. In relation to sport facilities, which fall within Use Class D2, this is contrary to NPPF, paragraph 9.7 as national policy only advocates losses when there is an identified surplus. The surplus should be identified in robust and up to date strategies, such as the Sport & Leisure Facilities Needs Assessment, or the facilities are being replaced. In this respect, the assessment does not highlight a surplus of sports facilities. Establishing a surplus of facilities is a higher threshold than merely demonstrating lack market interest which may not be due to a lack of current or future demand. Sport England do not consider this wording consistent with national policy and is, therefore, unsound.

Policy I1- Developer Contributions to deliver Purbeck's Infrastructure

As highlighted above, an increase in population can have a significant impact on existing facilities which does not appear to be considered in this policy. The Local Plan fails to address the impact of growth by ensuring strategically identified facilities or enhancements would be brought forward with certain developments in the areas they are required. There is also a focus on providing contributions to meet any future needs however there is no mention of requirements for developments to provide indoor or out sports facilities to mitigate the impact on growth caused by developments. This provision should be in line with up-to-date and robust strategies, such as Sport & Leisure Facilities Needs Assessment

Sport England notes that the preceding paragraphs states that a PPS is in preparation but this is at its early stages therefore the Council do not have what Sport England would consider an up-to-date and robust evidence base for playing pitches therefore any policy relating to playing fields/pitches would not be based on robust and up-to-date assessments of need.

Policy I4 Recreation, Sport and Open Space

Sport England welcomes the recognition that new development should provide informal and formal sport provision however this provision should be designed to address current deficits and/or meet future needs. These facilities should be identified within Sport & Leisure Facilities Needs Assessment and a PPS and not just to meet Field In Trust Benchmark Guidance. Merely adhering to this guidance rather than robustly identified sporting needs could result in facilities that are either not needed to meet strategic identified demands, are in the wrong places and/or may come forward at the wrong time. Sport England does not consider this to be an effective approach or in line with NPPF, paragraph 96, that requires policies for sport and physical activity to be based on robust and up-to-date assessments of need and provide opportunities for new provision and information from these assessment should be used to detriment what sport provision is required. It is, therefore, in the view of Sport England an unsound approach.

Policy I4 also appears to focus on the provision on new facilities with only enhancement of existing facilities being accepted in exceptional circumstances. This appears at odds with the outcomes of the Sport & Leisure Facilities Needs Assessment expressed in the preceding paragraphs of the pre-submission draft which suggests that built facilities need enhancing. This further indicates that the pre-submission plan is not based of assessments of need as required by NPPF. It is unclear what the situation would be with playing pitches as the PPS has not yet been developed therefore the Plan cannot robustly plan for playing pitches with any certainty.

Although Sport England does not consider that this policy is sound it does protect existing provision which is positive when there is no up-to-date base evidence. However, Sport England would highlight any loss of provision is only

acceptable if there is a surplus of provision not an excess but it is noted that the policy does refer to existing national policy, i.e. the NPPF.

Sport England advises that policies relating to sport facilities are reconsidered. There should be clear policies for indoor and outdoor sports facilities that sets out what is required to meet current and future needs, including what facilities need to be protected or enhanced and what facilities are required and when and where, in line with robust and up-to-date strategies.

It is noted that new facilities required to mitigate growth might be addressed in Policy 17 in relation to playing field if the Council consider playing fields to fall within its definition of 'sports fields' however this not clear. Furthermore, under safeguarding existing communities in Policy 17, Sport England have a similar concern as EE3 above in that the NPPF, paragraph 97, requires the sports facility to be surplus before being lost and not merely having been marketed without success for 9 months and unviable which could be due to a number of factors, such as condition of site, restricted access etc. Again, this is contrary to national policy and is therefore not sound.

Conclusion

Sport England does not consider that the pre-submission is informed by up-to-date and robust assessments and strategies for indoor and outdoor sport and is, therefore, not informed by strategically identified demands and needs. Although Active Dorset's Sport and Leisure Facility Needs Assessment represents such an evidence base for built facilities it does not appear that the findings and recommendations in this assessment have informed the policies in the pre-submission draft. There is currently no such assessment for playing pitches as the Council are yet to begin developing a PPS. Sport England does not consider that the plan is positively prepared or effective as it does not meet Purbeck's assessed (or yet to be assessed) needs and is not in accordance with the NPPF, paragraph 96.

Furthermore, the plan is contradictory in parts when addressing future needs and is not overly clear when addressing indoor and outdoor sport facilities. The policies also do not afford the required protection of sports facilities as required by the NPPF, paragraph 97, which again demonstrates the pre-submission drafts shortcomings when compared to national policy.

Overall, Sport England does not consider that the pre-submission draft is positively prepared and consistent with national policy and is therefore unsound. Sport England advises addressing these issues by creating a policy for indoor sports facilities and another for outdoor sports facilities taking into account the NPPF, paragraphs 96 and 97, and Sport England's Planning Policy. These Policies, however, should be informed by up to date and robust evidence bases, which the Council currently do not have in relation to playing pitches.

In addition, in light of the Council's objective to encourage healthy communities Sport England recommended imbedding Active Design within the design policies and site allocation policies and also allow a sufficient degree of flexibility within employment areas to accommodate sport and leisure facilities.

Sport England would be happy to work alongside the Council to develop any policy and answer any queries in relation to the sport facility policy

If you have any questions please do not hesitate to contact the above.

Yours Faithfully

Mark Furnish

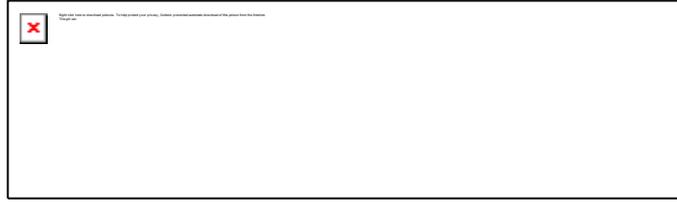
Planning Manager

T: [REDACTED]

M: [REDACTED]

F: [REDACTED]

E: [REDACTED]



1st Floor, 21 Bloomsbury Street, London, WC1B 3HF



We have updated our Privacy Statement to reflect the recent changes to data protection law but rest assured, we will continue looking after your personal data just as carefully as we always have. Our Privacy Statement is published on our [website](#), and our Data Protection Officer can be contacted by emailing [Gail Laughlan](#)

The information contained in this e-mail may be subject to public disclosure under the Freedom of Information Act 2000. Additionally, this email and any attachment are confidential and intended solely for the use of the individual to whom they are addressed. If you are not the intended recipient, be advised that you have received this email and any attachment in error, and that any use, dissemination, forwarding, printing, or copying, is strictly prohibited. If you voluntarily provide personal data by email, Sport England will handle the data in accordance with its Privacy Statement. Sport England's Privacy Statement may be found here <https://www.sportengland.org/privacy-statement/> If you have any queries about Sport England's handling of personal data you can contact Sport England's Data Protection Officer directly by emailing gail.laughlan@sportengland.org

Comment

Consultee	Mr Nicolas Swallow (1190860)
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Event Name	Purbeck Local Plan Pre-submission Draft
Comment by	Mr Nicolas Swallow (1190860)
Comment ID	PLPP194
Response Date	01/12/18 14:44
Consultation Point	Policy H8: Small sites next to existing settlements (View)
Status	Processed
Submission Type	Web
Version	0.1
Are you responding on behalf of a group?	No
Please tick the box(es) if you would like to be notified at an address/email address of the following:	
Which policy / paragraph number / policies map does your comment relate to?	West Lulworth
Do you consider that the Local Plan is legally compliant?	No
Do you consider that the Local Plan is sound?	No
Do you consider that the Local Plan complies with the duty to co-operate?	No

Please give details of why you consider this part of the Local Plan is / is not legally compliant, sound or fails to comply with the duty to co-operate. (Please be as precise as possible)

Comments on Purbeck Local Plan 2018 – Small Sites West Lulworth

There are two main areas of dissent from the proposals under the Small Sites section of the SHLAA for West Lulworth. These fall under the following categories:

- 1 Site assessment and compliance.
- 2 Consideration of the effects of development on infrastructure.

The proposal to allocate 107 new units on 8 sites seems to have been done without regard to the most fundamental considerations, either in compliance with Policy H2 criteria or common sense and is utterly disproportionate.

The proposed sites are located with restricted access, high build cost due to sloping terrain and/or likely effects of flood water.

The village is the gateway to vast numbers of tourist visiting the World Heritage Jurassic Coast and Lulworth Cove and Durdle Door in particular, already causing traffic congestion and total bottlenecks.

How is the infrastructure going to be developed to cope with an additional 107 households?

Are schools able to take on more pupils?

How are the medical facilities going to be provided?

Where is the employment?

Are the utility companies able to provide the necessary additional services (particularly sewage)?

How are the already inadequate roads going to cope with the additional private and (possible) public traffic.

There does not seem to be any detailed proposals for solutions for any of these key elements.

In terms of complying with the Strategic Housing Land Availability Assessment (SHLAA) and specifically Policy H8 the proposal for providing 107 units completely fail to meet the stated criteria, especially:

- 1 H8 a: *The **scale of proposed development is proportionate** to the size and character of the existing settlement, up to a maximum of 30 homes...up to a maximum of **two** sites.....and not **exceeding 10%** of the existing settlement.*
- 2 H8 b: *Individually and cumulatively, the size, appearance and layout of proposed homes must not harm the **character and value of any landscape** or settlements potentially affected by the proposal.*

53 No. of the proposed 107 No. units are being proposed within four closely grouped sites. A simple survey of the sites proposed show them to be in direct contravention of National Planning guidelines and therefore unsuitable.

Their development would transform the character of the village and immediate landscape vista. They would create even more traffic chaos.

West Lulworth is an historic, isolated Dorset village with great merit.

It is at the heart of an Area of Outstanding Natural Beauty and the World Heritage Jurassic Coast.

It is already under threat from the huge increase in tourist traffic and associated pollution.

The very least a potential planning policy proposal should consider is how a small increase in the number of homes can be carefully integrated so as to maintain the special characteristics that exist.

The current land availability assessment requires much more consideration and consultation.

As far as West Lulworth is concerned the policy criteria/guidelines laid down under SHLAA have not been followed. The sites should be allocated the 'UNSUITABLE' category.

Having regard to your previous comments, please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound. You will need to say why this change will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording for any policy or text and where appropriate provide evidence necessary to support / justify the representation. (Please be as precise as possible)

See above but proper assessment and consultation needed

(Please note that the Planning Inspector will make the final decision on who will be invited to attend individual sessions at the examination, although all members of the public may observe the proceedings)

Only those who have made representations to the Local Plan during the statutory six week pre-submission publication period will be allowed to participate in the public examination.

If your representation is seeking a change to the Local Plan, do you consider it necessary to participate in the oral part of the examination? No

Comment

Agent	Mr Stephen Young (1097534)
Email Address	[REDACTED]
Company / Organisation	Pro Vision Planning & Design
Address	Grosvenor Court Winchester Road Winchester SO51 9BD
Consultee	Mr Stephen Young (1190180)
Email Address	[REDACTED]
Company / Organisation	The Charborough Estate
Address	c/o Agent (Pro Vision) Grosvenor Court, Ampfield Hill Winchester SO51 9BD
Event Name	Purbeck Local Plan Pre-submission Draft
Comment by	The Charborough Estate (Mr Stephen Young - 1190180)
Comment ID	PLPP151
Response Date	30/11/18 16:42
Consultation Point	Policy I5: Morden Park strategic suitable alternative natural green space (SANG) and holiday park (View)
Status	Processed
Submission Type	Web
Version	0.2
Are you responding on behalf of a group?	No
Please tick the box(es) if you would like to be notified at an address/email address of the following:	
Which policy / paragraph number / policies map does your comment relate to?	I5

Do you consider that the Local Plan is legally compliant? Yes

Do you consider that the Local Plan is sound? No

Do you consider that the Local Plan complies with the duty to co-operate? Yes

Please give details of why you consider this part of the Local Plan is / is not legally compliant, sound or fails to comply with the duty to co-operate. (Please be as precise as possible)

Pro Vision Planning and Design has been instructed by the Charborough Estate to submit representations to the Purbeck Local Plan Review Pre-Submission Consultation. These representations are made primarily in respect of Policy I5: Morden Park and the associated elements on the Proposals Map.

The Charborough Estate supports the principle of a number of elements:

- 1 the tourist accommodation at Morden Park within the Policy I5 boundary included on the Proposals Map; and
- 2 the removal of Green Belt designation from a substantial proportion of the I5 boundary to facilitate the holiday park component of the allocation.

Further, the Estate also accepts the inclusion of potential SANGs within the wider I5 boundary, on the eastern part of Morden Park.

Policy I5 is broadly in line with paragraph 83 of the National Planning Policy Framework (NPPF) which recognises the role of tourism in promoting a strong rural economy. Local Plans should support sustainable rural tourism developments that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside. Tourism accommodation in the Purbeck District is currently focussed on the coastal areas and Policy I5 will mitigate recreation pressure on the internationally significant Jurassic Coast; in accordance with Dorset Destination Management Plan 2014. The October 2012 Inspector's Report to the Examination in Public into the Purbeck Local Plan (Part 1) concluded, at paragraph 100, that a proposal to create Country Park with some tourist accommodation at Morden Park was "a suitable use for such a site".

However, the current wording of the Policy is ambiguous, and therefore unrealistic, as regards (i) the relationship of the holiday park to the proposed SANGS land and (ii) the potential scale of the holiday park within the defined boundary. As a result the Policy, as currently worded, is not sound as it does not comply with paragraph 35(c) of the NPPF: it is not an "effective" policy. We are also surprised that the holiday park element is only mentioned as a supplemental part of the SANG-led Policy of I5, and does not benefit from more detailed, and stand-alone, Policy support. The following paragraphs explain the reasoning for this assessment.

Relationship between Holiday Park and SANG land

It is clear that one driver for the allocation of part of Morden Park as SANG land is the need to mitigate for recreational pressure on the Dorset Heaths SAC (an international designation) that would arise from the 1700+ permanent dwellings that are currently proposed within the Purbeck Local Plan Review in the 2018-34 period. The Estate is aware that the Council considers this to be the "exceptional circumstances", within the context of paragraph 136 of the NPPF, that justifies the partial removal of Morden Park from the Green Belt (a UK national designation). The Estate disagrees with the Council on this point and considers that, among other matters, existing recreational pressure on the Jurassic Coast (an international, UNESCO, designation) could also fall within the definition of "exceptional circumstances" for Green Belt amendments to facilitate holiday accommodation within the District. Similarly, the restoration of the historic park and significant landscape and biodiversity benefits weigh in its favour.

The residential-driven need for SANG land is a discrete issue that does not apply, comparably, to the potential of the I5 land to provide holiday units. Therefore, while District-wide housing provision is a key driver as regards SANG need, it is not the only one. Other relevant considerations relate to overcoming inhibitors to the supply of SANG land. In this regard, the proposed SANG allocation lies on land that is in private ownership (to the Estate) and is currently actively farmed by a tenant farmer.

There will be negative financial implications arising from the proposed change to SANG land (including loss of arable revenue; financial compensation from the Estate to the tenant; and costs associated with its establishment as SANG and ongoing management).

Therefore the land will not be released by the owners for the changes required (ie to serve as SANG) without a more clarification of costs, SANG funding, phasing and the linkage between the facilitating holiday park element and the SANG land.

One option may be to include reference to the proposed holiday park allocation (including the scale points below) within, or supplemental to, Policy EE4: *Supporting vibrant and attractive tourism* and its supporting text (paras 217-220)

Scale of Holiday Park

We have previously made submissions to the Council (in 2015 and 2016) on the Estate's behalf regarding the potential scale of the holiday park (of approximately 100 units), and the Estate has commissioned ecology and landscape evaluations to underpin this suggested quantum. This important detail is omitted from the policy, which is vague in relation to the nature of the holiday park as a result. This omission is detrimental to the Plan, as it will not be apparent to readers that the Morden Park proposals are reasoned, credible and deliverable.

This quantum of holiday cabins can be well screened from the surrounding countryside and Morden Park has safe and convenient access to the B3075 Morden Road. We would welcome the opportunity to work with the Council on this matter, going forwards, and wish to have the opportunity to appear at the Examination in Public if the allocation is opposed by third parties for whatever reason.

Having regard to your previous comments, please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound. You will need to say why this change will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording for any policy or text and where appropriate provide evidence necessary to support / justify the representation. (Please be as precise as possible)

Suggested Amendment to Policy I5

The area shown on the policies map will be developed as:

- 1 a holiday park for approximately 100 holiday units; and
- 2 a strategic SANG to contribute to mitigation for recreational pressure arising from residential development needed elsewhere in the District (ie housing identified within Policy V1 sites).

The extent of the holiday park will be informed by ecological and landscape evaluations including, where appropriate, land management enhancements within the I5 boundary (as shown on the Proposals Map). This will be subject to agreement between the applicant, the Council and Natural England and assessed via the appropriate development control processes.

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If your representation is seeking a change to the Local Plan, do you consider it necessary to participate in the oral part of the examination? Yes

If you wish to participate in the oral part of the examination, please outline why you consider it to be necessary?

Attendance at the oral part of the examination would be necessary if others object to the proposed I5 allocation (for whatever reason) to explain the Estate's position and/or address issues raised

Comment

Agent	Mr Stephen Young (1097534)
Email Address	[REDACTED]
Company / Organisation	Pro Vision Planning & Design
Address	Grosvenor Court Winchester Road Winchester SO51 9BD
Consultee	Mr Stephen Young (1190180)
Email Address	[REDACTED]
Company / Organisation	The Charborough Estate
Address	c/o Agent (Pro Vision) Grosvenor Court, Ampfield Hill Winchester SO51 9BD
Event Name	Purbeck Local Plan Pre-submission Draft
Comment by	The Charborough Estate (Mr Stephen Young - 1190180)
Comment ID	PLPP152
Response Date	30/11/18 16:43
Consultation Point	Policy H3: New housing development requirements (View)
Status	Processed
Submission Type	Web
Version	0.2
Are you responding on behalf of a group?	No
Please tick the box(es) if you would like to be notified at an address/email address of the following:	
Which policy / paragraph number / policies map does your comment relate to?	H3(c)

Do you consider that the Local Plan is legally compliant? Yes

Do you consider that the Local Plan is sound? No

Do you consider that the Local Plan complies with the duty to co-operate? Yes

Please give details of why you consider this part of the Local Plan is / is not legally compliant, sound or fails to comply with the duty to co-operate. (Please be as precise as possible)

This section of the Policy is ambiguous, and therefore unrealistic, as regards (i) the relationship of residential sites to SANG sites, both un-identified and proposed SANG allocations (including those SANGs within Neighbourhood Plans), and (ii) the development(s) giving rise to their requirement. As a result the Policy, as currently worded, is not sound as it does not comply with paragraph 35(c) of the NPPF: it is not an "effective" policy.

It is clear that one driver SANG land is the need to mitigate for recreational pressure on the Dorset Heaths SAC (an international designation) that would arise from the 1700+ permanent dwellings that are currently proposed within the Purbeck Local Plan Review in the 2018-34 period.

The residential-driven need for SANG land is a discrete issue. While District-wide housing provision is a key driver as regards SANG need, it is not the only one. Other relevant considerations relate to overcoming inhibitors to the supply of SANG land. In this regard, SANG sites are most likely to lie on land that is in private ownership (including to the Estate). Many of the undefined and Neighbourhood Plan sites will be actively farmed currently, perhaps by tenant farmers. There will be negative financial implications arising from the changes to SANG land (including loss of arable revenue; financial compensation from the Estate to the tenant; and costs associated with its establishment as SANG and ongoing management).

Therefore, land will not be released by the owners for the changes required for such parcels to serve as SANG without a more clarification of costs, SANG funding, phasing and the linkage between residential development(s) giving rise to SANG need and the land on which SANGs would be proposed for mitigation. Any resulting shortfall in SANG provision could adversely affect deliverability of residential sites.

Having regard to your previous comments, please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound. You will need to say why this change will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording for any policy or text and where appropriate provide evidence necessary to support / justify the representation. (Please be as precise as possible)

Additional information needs to be prepared by the Council as to the potential SANGs sites across the District, their status (ie SANG allocations, SANG windfalls, etc) and capacity to mitigate for residential development(s) within the District. A clear methodology for funding and phasing of such SANG sites should also be prepared. The wording of Policy H3(c), and supporting text, needs to provide the basis for this. In this regard, it is noted that Paragraph 120 of the plan refers to developer contributions relating to schools. There should be a similar paragraph in the supporting text to H3 relating to SANG.

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If you wish to participate in the oral part of the examination, please outline why you consider it to be necessary?

Attendance at the oral part of the examination would be necessary to explain the Estate's position and/or address issues raised

Comment

Agent	Mr Martin Miller (1190984)
Email Address	[REDACTED]
Company / Organisation	Terence O'Rourke
Address	Everdene House Deansleigh Road Bournemouth BH77DU
Consultee	(1190993)
Company / Organisation	The Moreton Estate
Address	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Event Name	Purbeck Local Plan Pre-submission Draft
Comment by	The Moreton Estate (- 1190993)
Comment ID	PLPP299
Response Date	03/12/18 10:42
Consultation Point	Foreword (View)
Status	Processed
Submission Type	Web
Version	0.1
Are you responding on behalf of a group?	No
Please tick the box(es) if you would like to be notified at an address/email address of the following:	
Which policy / paragraph number / policies map does your comment relate to?	Foreword
Do you consider that the Local Plan is legally compliant?	Yes
Do you consider that the Local Plan is sound?	No

Do you consider that the Local Plan complies with the duty to co-operate? Yes

Please give details of why you consider this part of the Local Plan is / is not legally compliant, sound or fails to comply with the duty to co-operate. (Please be as precise as possible)

The district council's settlement hierarchy is identified within the plan's glossary. It correctly draws a distinction between the two separate settlements of Moreton Station (a key service village) and Moreton (a village without a settlement boundary). However, in several parts of the plan (the Foreword, paragraph 36, the vision in chapter 2 and paragraph 115), references are made to Moreton when in fact such references should be to Moreton Station.

Having regard to your previous comments, please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound. You will need to say why this change will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording for any policy or text and where appropriate provide evidence necessary to support / justify the representation. (Please be as precise as possible)

This section of the plan needs to refer to Moreton Station rather than to Moreton.

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Comment

Agent	Mr Martin Miller (1190984)
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Company / Organisation	Terence O'Rourke
Address	Everdene House Deansleigh Road Bournemouth BH77DU
Consultee	(1190993)
Company / Organisation	The Moreton Estate
Address	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Event Name	Purbeck Local Plan Pre-submission Draft
Comment by	The Moreton Estate (- 1190993)
Comment ID	PLPP300
Response Date	03/12/18 10:42
Consultation Point	Vision (View)
Status	Processed
Submission Type	Web
Version	0.1
Are you responding on behalf of a group?	No
Please tick the box(es) if you would like to be notified at an address/email address of the following:	
Which policy / paragraph number / policies map does your comment relate to?	Vision
Do you consider that the Local Plan is legally compliant?	Yes
Do you consider that the Local Plan is sound?	No

Do you consider that the Local Plan complies with the duty to co-operate? Yes

Please give details of why you consider this part of the Local Plan is / is not legally compliant, sound or fails to comply with the duty to co-operate. (Please be as precise as possible)

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Comment

Agent	Mr Martin Miller (1190984)
Email Address	[REDACTED]
Company / Organisation	Terence O'Rourke
Address	Everdene House Deansleigh Road Bournemouth BH77DU
Consultee	(1190993)
Company / Organisation	The Moreton Estate
Address	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Event Name	Purbeck Local Plan Pre-submission Draft
Comment by	The Moreton Estate (- 1190993)
Comment ID	PLPP301
Response Date	03/12/18 10:43
Consultation Point	Infrastructure (View)
Status	Processed
Submission Type	Web
Version	0.1
Are you responding on behalf of a group?	No
Please tick the box(es) if you would like to be notified at an address/email address of the following:	
Which policy / paragraph number / policies map does your comment relate to?	Paragraph 36
Do you consider that the Local Plan is legally compliant?	Yes
Do you consider that the Local Plan is sound?	No

Do you consider that the Local Plan complies with the duty to co-operate? Yes

Please give details of why you consider this part of the Local Plan is / is not legally compliant, sound or fails to comply with the duty to co-operate. (Please be as precise as possible)

The district council's settlement hierarchy is identified within the plan's glossary. It correctly draws a distinction between the two separate settlements of Moreton Station (a key service village) and Moreton (a village without a settlement boundary). However, in several parts of the plan (the Foreword, paragraph 36, the vision in chapter 2 and paragraph 115), references are made to Moreton when in fact such references should be to Moreton Station.

Having regard to your previous comments, please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound. You will need to say why this change will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording for any policy or text and where appropriate provide evidence necessary to support / justify the representation. (Please be as precise as possible)

This section of the plan needs to refer to Moreton Station rather than to Moreton.

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If your representation is seeking a change to the Local Plan, do you consider it necessary to participate in the oral part of the examination? No

Comment

Agent	Mr Martin Miller (1190984)
Email Address	[REDACTED]
Company / Organisation	Terence O'Rourke
Address	Everdene House Deansleigh Road Bournemouth BH77DU
Consultee	(1190993)
Company / Organisation	The Moreton Estate
Address	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Event Name	Purbeck Local Plan Pre-submission Draft
Comment by	The Moreton Estate (- 1190993)
Comment ID	PLPP302
Response Date	03/12/18 10:43
Consultation Point	Ensuring a sufficient supply of homes (View)
Status	Processed
Submission Type	Web
Version	0.1
Are you responding on behalf of a group?	No
Please tick the box(es) if you would like to be notified at an address/email address of the following:	
Which policy / paragraph number / policies map does your comment relate to?	Paragraph 115
Do you consider that the Local Plan is legally compliant?	Yes
Do you consider that the Local Plan is sound?	No

Do you consider that the Local Plan complies with the duty to co-operate? Yes

Please give details of why you consider this part of the Local Plan is / is not legally compliant, sound or fails to comply with the duty to co-operate. (Please be as precise as possible)

The district council's settlement hierarchy is identified within the plan's glossary. It correctly draws a distinction between the two separate settlements of Moreton Station (a key service village) and Moreton (a village without a settlement boundary). However, in several parts of the plan (the Foreword, paragraph 36, the vision in chapter 2 and paragraph 115), references are made to Moreton when in fact such references should be to Moreton Station.

Having regard to your previous comments, please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound. You will need to say why this change will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording for any policy or text and where appropriate provide evidence necessary to support / justify the representation. (Please be as precise as possible)

This section of the plan needs to refer to Moreton Station rather than to Moreton.

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If your representation is seeking a change to the Local Plan, do you consider it necessary to participate in the oral part of the examination? No

Comment

Agent	Mr Martin Miller (1190984)
Email Address	[REDACTED]
Company / Organisation	Terence O'Rourke
Address	Everdene House Deansleigh Road Bournemouth BH77DU
Consultee	(1190993)
Company / Organisation	The Moreton Estate
Address	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Event Name	Purbeck Local Plan Pre-submission Draft
Comment by	The Moreton Estate (- 1190993)
Comment ID	PLPP303
Response Date	03/12/18 10:43
Consultation Point	Policy H3: New housing development requirements (View)
Status	Processed
Submission Type	Web
Version	0.1
Are you responding on behalf of a group?	No
Please tick the box(es) if you would like to be notified at an address/email address of the following:	
Which policy / paragraph number / policies map does your comment relate to?	Policy H3
Do you consider that the Local Plan is legally compliant?	Yes

Do you consider that the Local Plan is sound? No

Do you consider that the Local Plan complies with the duty to co-operate? Yes

Please give details of why you consider this part of the Local Plan is / is not legally compliant, sound or fails to comply with the duty to co-operate. (Please be as precise as possible)

Paragraph 35 of the revised NPPF (July 2018) identifies the four tests that need to be met for a local plan to be found sound. In addition to being positively prepared and justified, plans need to be deliverable over the plan period (part of the 'effective' test) and enable the delivery of sustainable development in accordance with national policy. The viability of development strikes at the heart of housing delivery and is therefore a fundamental component of both the 'effective' and 'consistent with national policy' tests for soundness.

National planning policy guidance was amended in July 2018 pursuant to the publication of the revised NPPF and contains guidance on how the issue of development viability should be considered within both plan-making and decision-taking.

Paragraph: 001 Reference ID: 10-001-20180724 states that policy requirements should be clear so that they can be accurately accounted for in the price paid for land. To provide this certainty, affordable housing requirements should be expressed as a single figure rather than a range, and different requirements may be set for different types of site or types of development.

Paragraph: 002 Reference ID: 10-002-20180724 states that:

- 1 the role for viability assessment is primarily at the plan making stage
- 2 viability assessment should not compromise sustainable development, but that it should be used to ensure that policies are realistic and that the total cumulative cost of all relevant policies will not undermine the viability of the plan
- 3 it is the responsibility of plan makers in collaboration with the local community, developers and other stakeholders, to create realistic, deliverable policies
- 4 drafting of plan policies should be iterative and informed by engagement with developers, landowners and infrastructure and affordable housing providers
- 5 policy requirements, particularly for affordable housing, should be set at a level that takes account of affordable housing and infrastructure needs and allows for the planned types of sites and development to be deliverable, without the need for further viability assessment at the decision making stage
- 6 it is the responsibility of site promoters to engage in plan making, take into account any costs including their own profit expectations and risks, and ensure that proposals for development are policy compliant. The price paid for land is not a relevant justification for failing to accord with relevant policies in the plan.

Paragraph: 005 Reference ID: 10-005-20180724 states that it is important to consider the specific circumstances of strategic sites.

Paragraph: 006 Reference ID: 10-006-20180724 states that plan makers should engage with landowners, developers, and infrastructure and affordable housing providers to secure evidence on costs and values to inform viability assessment at the plan making stage.

With the requirements of the NPPG in mind, policy H3 of the draft Purbeck Local Plan Review sets out the requirements expected of all developments on allocated sites. Whilst we do not object to the

list of requirements, we consider that criteria (f) and (g) are ambiguously worded and need to be much more specific so that the cost of complying with them can be calculated and identified as part of each site's viability assessment, consistent with the requirements of paragraph: 001 Reference ID: 10-001-20180724 of the NPPG.

Criterion (f) requires all developments to provide suitably designed greenspace "following" (our emphasis) the Fields in Trust "Guidance for Outdoor Sport and Play Beyond the Six Acre Standard England". We consider the word "following" is vague and in contradiction with the wording of policy I4 which requires new strategic residential development to "achieve" the identified Fields in Trust benchmark guidelines. In our opinion, the policy needs to be clear on whether full compliance is required with the guidance, or whether there is scope for a discussion on how much and which elements of the guidance need to be complied with. In our opinion, on strategic sites that provide SANG, there should not be an additional requirement to deliver natural and semi-natural open space at a rate of 1.8 hectares per 1000 population. Equally, it is not clear whether allocated sites need to deliver playing pitches at a rate of 1.2 hectares per 1000 population in addition to 1.6 hectares of outdoor sports per 1000 population, or whether this is an "either/or" scenario and if so, which one should be pursued.

Whilst we are supportive of a flexible approach to open space provision, it is essential for both master planning and viability assessment that the precise open space requirement for the strategic allocation at Moreton Station / Redbridge Pit is known and specified at the plan-making stage. We note from Appendix 4 of the council's Infrastructure Delivery Plan (October 2018) that the cost of meeting Fields in Trust Guidance remains "to be confirmed", but that it is essential to the development.

Criterion (g) requires "details of charging points for electrical vehicles" to be provided, yet neither the policy nor the Infrastructure Delivery Plan specifies how many charging points are required. Paragraph 244 and policy I2 also support the provision of electric vehicle charging points, yet neither provides any additional clarity on the matter.

Given that the Infrastructure Delivery Plan indicates that such installations will cost in excess of £5000 each, it is essential for both master planning and the viability assessment that

the precise requirements for charging points are clearly set out in policy. It is also essential to ascertaining whether the electricity distribution network has sufficient capacity to support large developments and if not, the extent and cost of the upgrade that will be required.

Having regard to your previous comments, please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound. You will need to say why this change will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording for any policy or text and where appropriate provide evidence necessary to support / justify the representation. (Please be as precise as possible)

We request that additional criteria be added to [policy H4](#) which (a) identify the quantum and type of open space that is required to be provided as part of the site's development, and (b) specify the quantum, type and location of electrical charging points that are required as part of the site's development.

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If you wish to participate in the oral part of the examination, please outline why you consider it to be necessary?

It is essential that the Inspector understands our concerns about the viability and deliverability of the proposed allocation at Moreton Station / Redbridge Pit and how the absence of firm details about the quantum and type of open space and electricity charging points affects both.

Comment

Agent	Mr Martin Miller (1190984)
Email Address	[REDACTED]
Company / Organisation	Terence O'Rourke
Address	Everdene House Deansleigh Road Bournemouth BH77DU
Consultee	(1190993)
Company / Organisation	The Moreton Estate
Address	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Event Name	Purbeck Local Plan Pre-submission Draft
Comment by	The Moreton Estate (- 1190993)
Comment ID	PLPP304
Response Date	03/12/18 10:43
Consultation Point	Policy H4: Moreton Station / Redbridge Pit (View)
Status	Processed
Submission Type	Web
Version	0.1
Are you responding on behalf of a group?	No
Please tick the box(es) if you would like to be notified at an address/email address of the following:	
Which policy / paragraph number / policies map does your comment relate to?	Policy H4
Do you consider that the Local Plan is legally compliant?	Yes
Do you consider that the Local Plan is sound?	No

Do you consider that the Local Plan complies with the duty to co-operate? Yes

Please give details of why you consider this part of the Local Plan is / is not legally compliant, sound or fails to comply with the duty to co-operate. (Please be as precise as possible)

Paragraph 35 of the revised NPPF (July 2018) identifies the four tests that need to be met for a local plan to be found sound. In addition to being positively prepared and justified, plans need to be deliverable over the plan period (part of the 'effective' test) and enable the delivery of sustainable development in accordance with national policy. The viability of development strikes at the heart of housing delivery and is therefore a fundamental component of both the 'effective' and 'consistent with national policy' tests for soundness.

National planning policy guidance was amended in July 2018 pursuant to the publication of the revised NPPF and contains guidance on how the issue of development viability should be considered within both plan-making and decision-taking.

Paragraph: 001 Reference ID: 10-001-20180724 states that policy requirements should be clear so that they can be accurately accounted for in the price paid for land. To provide this certainty, affordable housing requirements should be expressed as a single figure rather than a range, and different requirements may be set for different types of site or types of development.

Paragraph: 002 Reference ID: 10-002-20180724 states that:

- 1 the role for viability assessment is primarily at the plan making stage
- 2 viability assessment should not compromise sustainable development, but that it should be used to ensure that policies are realistic and that the total cumulative cost of all relevant policies will not undermine the viability of the plan
- 3 it is the responsibility of plan makers in collaboration with the local community, developers and other stakeholders, to create realistic, deliverable policies
- 4 drafting of plan policies should be iterative and informed by engagement with developers, landowners and infrastructure and affordable housing providers
- 5 policy requirements, particularly for affordable housing, should be set at a level that takes account of affordable housing and infrastructure needs and allows for the planned types of sites and development to be deliverable, without the need for further viability assessment at the decision making stage
- 6 it is the responsibility of site promoters to engage in plan making, take into account any costs including their own profit expectations and risks, and ensure that proposals for development are policy compliant. The price paid for land is not a relevant justification for failing to accord with relevant policies in the plan.

Paragraph: 005 Reference ID: 10-005-20180724 states that it is important to consider the specific circumstances of strategic sites.

Paragraph: 006 Reference ID: 10-006-20180724 states that plan makers should engage with landowners, developers, and infrastructure and affordable housing providers to secure evidence on costs and values to inform viability assessment at the plan making stage.

Whilst we are supportive of the site's allocation within the draft plan, in order to be able to demonstrate that the policy is sound, it is necessary to demonstrate that the site is viable, and therefore deliverable. In accordance with the requirements of the NPPG, representatives of the landowner have therefore entered into discussions with officers of Purbeck District Council concerning the viability of the Moreton Station / Redbridge Pit development.

In June 2018 and on the basis of a preliminary site viability assessment of a 440 house scheme, the landowners of the allocated site met with officers of the council to explain that the infrastructure requirements of the site were extensive, and that as a consequence, it was unlikely that the allocated site would be able to deliver more than 15-20% affordable housing.

The current draft policy H4 allocation comprises 490 dwellings and a 65 bed care home and has been the subject of a high level viability assessment undertaken by the Dixon Searle Partnership in October 2018. This assessment forms part of the evidence base underpinning the draft plan. Whilst this appraisal indicates that the allocation is viable with the provision of 40% affordable housing under different scenarios, unfortunately the assessment is based on a number of assumptions that we

consider to be incorrect and significant enough to give a false impression that the site is viable and deliverable with the provision of 40% affordable housing.

As recognised by the NPPG, the drafting of plan policies is an iterative process, and so whilst we have concerns about the deliverability of the site at this present time given the extensive infrastructure and level of affordable housing expected to be delivered at the site, representatives of the landowners will continue their dialogue with council officers with a view to agreeing a policy that is deliverable.

Our specific concerns with the Dixon Searle Partnership report are as follows:

- 1 the report (figure 4, paragraphs 2.2.8 and 2.6.4) assumes that minimum space standards are to be introduced by Purbeck District Council, yet paragraph 158 of the pre-submission draft plan states this would be too prescriptive for Purbeck (and para 2.6.5 of the report also acknowledges this). Clearly, the size of unit used in the viability assessment is critical to the outcome of any viability appraisal as small variations in assumptions can lead to large differences in costs and revenues across a development of 490 dwellings, and put simply, the sizes used for the affordable units are larger than they need to be
- 2 the report has not allowed for any abnormal costs (paragraph 2.4.3) which is a significant incorrect assumption given that all new structures will need to be piled because Redbridge Pit is an active quarry currently undergoing restoration. We suspect that the cost of development has been underestimated by the Dixon Searle Partnership by around £2million
- 3 the report uses the lowest build cost of £1,210 per sqm (figure 5) for both the open market and affordable housing units, and the same rate for flats and houses. We also note that the report uses a higher cost for the sheltered housing units, which are being used as a proxy for specialist older persons accommodation. In reality, the cost of constructing terraced, detached and semi-detached dwellings are all different (as is recognised in figure 5 of their main report) and therefore small differences in build costs can make a massive difference to viability across a scheme of 490 dwellings
- 4 the main body of the report identifies a number of assumptions that have been used in the assessment, which do not subsequently appear to have been used as part of the viability assessment. The differences are extensive, but for brevity, these include:
 - 1 a stated allowance of 5% of build cost for contingencies, yet only 3.63% was used in the appraisal
 - 2 an assumed 2% of build costs for sustainable design / construction standards, yet the policies of the draft plan do not require new developments to deliver efficiency requirements over and above the current level of Building Regulations
 - 3 a stated allowance for professional fees of 10% of total build cost (paragraph 2.7.1), yet only 7% was used in the appraisal
- 5 the appraisal assumes that 490 dwellings and a 65 bed care home would be built in just 48 months (page 58 – appendix 1), which we consider is unreasonably optimistic for this part of Dorset, where the large volume housebuilders may not be interested due to slow sales rates and lower sales values. In our opinion, a build rate of 40 dwellings per annum per developer is much more realistic, which would require a build out period of circa six years assuming that two small to medium size builders acquire the site. Clearly, the holding costs of the site are greater than that anticipated in the Dixon Searle Partnership and the longer construction period and slower sales rate will have a negative impact on viability
- 6 paragraph 2.9.8 makes an allowance of £600 per dwelling towards nitrogen neutrality, yet the actual costs associated with nitrogen neutrality at Moreton, which has been agreed with Natural England and costed by the landowner, is circa £500,000
- 7 the appraisal has been undertaken on the basis that 12.3 hectares of net land is available for development (page 58, appendix 1), yet in the absence of any agreed master plan or any confirmation about the quantum of SANG or open space to be provided, this figure lacks robustness
- 8 the appraisal makes no allowance for SAMM contributions which are required in addition to the provision of SANG
- 9 tables 3a and 3b of Appendix IIc refer to Set 1 Lower Values and Set 2 Typical Values, yet neither is explained further. As these values appear to relate to sales values, it is extremely important to understand what both values mean and how they have been calculated, as this goes to the heart of the viability debate
- 10 the assessment does not model the viability of a convenience store (which is required under draft policy EE3) or a care home, which forms part of the H4 allocation

- 11 the assessment makes an allowance for freeholds, but doesn't make any allowance for the costs of garage construction or the cost of circulation / communal areas within apartment blocks
- 12 no allowance has been made within the assessment for the provision of a station car park within the site boundary
- 13 no allowance has been made within the assessment for the costs associated with remediating contaminated land, which cannot be ruled out given that this is an active quarry currently undergoing restoration
- 14 no allowance has been made within the assessment for any costs associated with site preparation, given that this is an active quarry currently undergoing restoration.

With regard to the specific wording of policy H4, we note that the requirement of criterion (a) to improve accessibility between the site and Moreton Station by forming or improving defined walking and cycling routes is recognised within appendix 4 of the council's Infrastructure Delivery Plan as being essential. However, the requirement for improved accessibility between the site and nearby employers at Dorset Innovation Park is recognised within the body of the Infrastructure Delivery Plan as being essential, but is not mentioned in appendix 4.

Criterion (b) requires the development of the Redbridge Pit / Moreton Station to "provide" (our emphasis) improvements to the station/travel interchange, to include an additional shelter for customers travelling on the railway, secure cycle parking and improvements to the pedestrian crossing over the railway line. However, not only are these requirements considered desirable (rather than essential) in the Infrastructure Delivery Plan, but the wording of this criterion does not reflect the Infrastructure Delivery Plan which states that "the District Council will work with the Dorset Councils Partnership and the County Council to deliver improvements in this [the Redbridge Pit / Moreton Station] area, especially on the B3390 and at the rail station.

Given that the existing pedestrian crossing over the railway line comprises two strips of tarmac separated from the main carriageway by white lines, guidance and clarity is required on what the council means and expects under the criterion requirement for "improvements to the pedestrian crossing" to be made. This is required because the Infrastructure Delivery Plan notes that as part of B3390 general improvements around Moreton level crossing that there could be a requirement for the provision of a pedestrian bridge at the station as an alternative to using the level crossing to access the London-bound platform, but that it also notes that the costs of a bridge are likely to be over £1m. Such a cost would have a significant impact on the deliverability of the development and therefore needs to be confirmed or dismissed as part of the submission plan policy.

Criterion (c) requires the site's development to avoid, and where necessary mitigate or remediate, the effects of noise from the adjoining railway line, unstable ground and any possible contamination on new homes within the development site. However, as developers are only required to mitigate the impacts arising from their development rather than existing issues, we suggest that this criterion be reworded.

Having regard to your previous comments, please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound. You will need to say why this change will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording for any policy or text and where appropriate provide evidence necessary to support / justify the representation. (Please be as precise as possible)

It is essential that the viability assessment underpinning policy H4 is based on up to date and accurate costs, values and assumptions including net developable area and build-out rates, and that it is agreed with the site landowner.

It is essential that the infrastructure requirements associated with the site's development are finalised and used in the viability assessment, and that the Infrastructure Development Plan and the infrastructure requirements of policy H4 accord with each other.

Criterion (b) needs to be reworded with the word "provide" being deleted and replaced by the phrase "make a financial contribution towards providing".

Criterion (c) needs to be amended as follows:

“ensure through surveys, careful consideration to siting and through appropriate construction techniques, that occupants of new homes are not subjected to adverse levels of noise from the adjoining railway line or to any adverse effects arising from building on made or contaminated ground”.

Additional criteria need to be added to policy H4 specifying:

- 1 the quantum and type of open space that is required to be provided as part of the site's development
- 2 the quantum, type and location of electrical vehicle charging points required within the development
- 3 the size of the convenience retail facility envisaged under policy EE3, and
- 4 the percentage and tenure split of affordable housing that the site can accommodate without undermining the site's viability.

(Please note that the Planning Inspector will make the final decision on who will be invited to attend individual sessions at the examination, although all members of the public may observe the proceedings)

Only those who have made representations to the Local Plan during the statutory six week pre-submission publication period will be allowed to participate in the public examination.

If your representation is seeking a change to the Local Plan, do you consider it necessary to participate in the oral part of the examination? Yes

If you wish to participate in the oral part of the examination, please outline why you consider it to be necessary?

It is essential that the examination inspector understands the viability and deliverability concerns that the landowner has concerning the site's development, all of which stem from uncertainty over the infrastructure that the site is expected to deliver.

Comment

Agent	Mr Martin Miller (1190984)
Email Address	[REDACTED]
Company / Organisation	Terence O'Rourke
Address	Everdene House Deansleigh Road Bournemouth BH77DU
Consultee	(1190993)
Company / Organisation	The Moreton Estate
Address	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Event Name	Purbeck Local Plan Pre-submission Draft
Comment by	The Moreton Estate (- 1190993)
Comment ID	PLPP305
Response Date	03/12/18 10:43
Consultation Point	Policy H9: Housing mix (View)
Status	Processed
Submission Type	Web
Version	0.1
Are you responding on behalf of a group?	No
Please tick the box(es) if you would like to be notified at an address/email address of the following:	
Which policy / paragraph number / policies map does your comment relate to?	Policy H9
Do you consider that the Local Plan is legally compliant?	Yes
Do you consider that the Local Plan is sound?	No

Do you consider that the Local Plan complies with the duty to co-operate? Yes

Please give details of why you consider this part of the Local Plan is / is not legally compliant, sound or fails to comply with the duty to co-operate. (Please be as precise as possible)

We fully support the acknowledgement that there is a need to achieve mixed and balanced communities in the revised NPPF. However, we object to criterion (b) which requires 10% of proposed market homes to comprise single storey dwellings. Paragraph 117 of the NPPF requires planning policies to promote an effective use of land in meeting the need for homes. Bungalows, however, have large footprints and they fail to utilise the airspace above meaning that they do not make efficient use of a scarce resource. Furthermore, the updated Strategic Housing Market Assessment (SHMA update 2018) did not identify the need for any single storey homes, and so this element of policy H9 is neither supported by national planning policy nor the council's own evidence base.

Having regard to your previous comments, please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound. You will need to say why this change will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording for any policy or text and where appropriate provide evidence necessary to support / justify the representation. (Please be as precise as possible)

The mandatory requirement to provide bungalows as part new developments should be deleted as it is not supported by the evidence base.

(Please note that the Planning Inspector will make the final decision on who will be invited to attend individual sessions at the examination, although all members of the public may observe the proceedings)

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If your representation is seeking a change to the Local Plan, do you consider it necessary to participate in the oral part of the examination? Yes

If you wish to participate in the oral part of the examination, please outline why you consider it to be necessary?

It is essential that the examination inspector is made aware of the lack of support for bungalows within the evidence base.

Comment

Agent	Mr Martin Miller (1190984)
Email Address	[REDACTED]
Company / Organisation	Terence O'Rourke
Address	Everdene House Deansleigh Road Bournemouth BH77DU
Consultee	(1190993)
Company / Organisation	The Moreton Estate
Address	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Event Name	Purbeck Local Plan Pre-submission Draft
Comment by	The Moreton Estate (- 1190993)
Comment ID	PLPP306
Response Date	03/12/18 10:43
Consultation Point	Policy EE3:Vibrant town and local centres (View)
Status	Processed
Submission Type	Web
Version	0.1
Are you responding on behalf of a group?	No
Please tick the box(es) if you would like to be notified at an address/email address of the following:	
Which policy / paragraph number / policies map does your comment relate to?	Policy EE3
Do you consider that the Local Plan is legally compliant?	Yes
Do you consider that the Local Plan is sound?	No

Do you consider that the Local Plan complies with the duty to co-operate? Yes

Please give details of why you consider this part of the Local Plan is / is not legally compliant, sound or fails to comply with the duty to co-operate. (Please be as precise as possible)

Policy EE3 supports the delivery of additional convenience retail floorspace at the Moreton Station / Redbridge Pit allocation. Whilst this is supported, for the policy requirement to accord with paragraph: 001 Reference ID: 10-001-20180724 of the NPPG, and to enable the site to be properly master planned for viability purposes, the size of the retail convenience store required at the Moreton Station / Redbridge Pit allocation should be identified in the policy, and/or within a further criterion under policy H4.

Having regard to your previous comments, please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound. You will need to say why this change will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording for any policy or text and where appropriate provide evidence necessary to support / justify the representation. (Please be as precise as possible)

The size of the retail convenience store required at Moreton Station / Redbridge Pit allocation should be identified in the policy, and/or within a further criterion under policy H4.

(Please note that the Planning Inspector will make the final decision on who will be invited to attend individual sessions at the examination, although all members of the public may observe the proceedings)

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If your representation is seeking a change to the Local Plan, do you consider it necessary to participate in the oral part of the examination? Yes

If you wish to participate in the oral part of the examination, please outline why you consider it to be necessary?

It is essential that the examination inspector understands the landowner's concerns about the site's viability / deliverability, all of which stem from uncertainty surrounding the exact infrastructure required associated with the site's development.

Comment

Agent	Mr Martin Miller (1190984)
Email Address	[REDACTED]
Company / Organisation	Terence O'Rourke
Address	Everdene House Deansleigh Road Bournemouth BH77DU
Consultee	(1190993)
Company / Organisation	The Moreton Estate
Address	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Event Name	Purbeck Local Plan Pre-submission Draft
Comment by	The Moreton Estate (- 1190993)
Comment ID	PLPP307
Response Date	03/12/18 10:43
Consultation Point	Policy I4: Recreation, sport and open space (View)
Status	Processed
Submission Type	Web
Version	0.1
Are you responding on behalf of a group?	No
Please tick the box(es) if you would like to be notified at an address/email address of the following:	
Which policy / paragraph number / policies map does your comment relate to?	Policy I4
Do you consider that the Local Plan is legally compliant?	Yes
Do you consider that the Local Plan is sound?	No

Do you consider that the Local Plan complies with the duty to co-operate? Yes

Please give details of why you consider this part of the Local Plan is / is not legally compliant, sound or fails to comply with the duty to co-operate. (Please be as precise as possible)

This policy states that residential development will be required to make provision for formal and informal recreation, sport and/or open space facilities on-site to “achieve” (our emphasis) the identified Fields in Trust benchmark guidelines. However, the wording of this policy is inconsistent with the wording of criterion (f) of policy H3, which only requires suitably designed green space to be provided “following” the Fields in Trust Guidance. As we have stated in our objection to policy H3, developers of strategic allocations need clarity on whether full compliance is required with the guidance, or whether there is scope for a discussion on how much and which elements of the guidance need to be complied with. In our opinion, on strategic sites that provide SANG, there should not be an additional requirement to deliver natural and semi-natural open space at a rate of 1.8 hectares per 1000 population. Equally, it is not clear whether allocated sites need to deliver playing pitches at a rate of 1.2 hectares per 1000 population in addition to 1.6 hectares of outdoor sports per 1000 population, or whether this is an “either/or” scenario and if so, which one should be pursued.

Whilst we are supportive of a flexible approach to open space provision, it is essential for both master planning and viability assessment that the precise open space requirement for the strategic allocation at Moreton Station / Redbridge Pit is known and specified at the plan-making stage. We note from Appendix 4 of the council’s Infrastructure Delivery Plan (October 2018) that the cost of meeting Fields in Trust Guidance remains “to be confirmed”, but that it is essential to the development.

Having regard to your previous comments, please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound. You will need to say why this change will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording for any policy or text and where appropriate provide evidence necessary to support / justify the representation. (Please be as precise as possible)

We request that the wording of policy I4 be consistent with the requirements of policy H3 and that an additional criterion be added to policy H4 confirming the quantum and type of open space that is required to be provided as part of the site’s development

(Please note that the Planning Inspector will make the final decision on who will be invited to attend individual sessions at the examination, although all members of the public may observe the proceedings)

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If your representation is seeking a change to the Local Plan, do you consider it necessary to participate in the oral part of the examination? Yes

If you wish to participate in the oral part of the examination, please outline why you consider it to be necessary?

It is essential that the examining inspector understands the landowner’s concerns about the viability and deliverability of the site, all of which emanate from uncertainty surrounding the infrastructure requirements associated with the site’s development.

Comment

Agent	Mr Martin Miller (1190984)
Email Address	[REDACTED]
Company / Organisation	Terence O'Rourke
Address	Everdene House Deansleigh Road Bournemouth BH77DU
Consultee	(1191014)
Company / Organisation	The Rempstone Estate
Address	[REDACTED] [REDACTED] [REDACTED]
Event Name	Purbeck Local Plan Pre-submission Draft
Comment by	The Rempstone Estate (- 1191014)
Comment ID	PLPP309
Response Date	03/12/18 10:58
Consultation Point	Policy H8: Small sites next to existing settlements (View)
Status	Processed
Submission Type	Web
Version	0.1
Are you responding on behalf of a group?	No
Please tick the box(es) if you would like to be notified at an address/email address of the following:	
Which policy / paragraph number / policies map does your comment relate to?	Policy H8
Do you consider that the Local Plan is legally compliant?	Yes
Do you consider that the Local Plan is sound?	No

Do you consider that the Local Plan complies with the duty to co-operate? Yes

Please give details of why you consider this part of the Local Plan is / is not legally compliant, sound or fails to comply with the duty to co-operate. (Please be as precise as possible)

Whilst we have no objection to an upper limit of 30 homes being used as a guide to the scale of development that the District Council considers to be small, we do not think that this should represent an absolute maximum, either per settlement or per site. Instead, we consider that the actual capacity of a development should be considered in light of this target, but confirmed once site characteristics and constraints, infrastructure capacity and viability issues have all been considered too. Otherwise, good opportunities for purposeful and viable developments will be missed for arbitrary non-planning reasons.

Having regard to your previous comments, please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound. You will need to say why this change will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording for any policy or text and where appropriate provide evidence necessary to support / justify the representation. (Please be as precise as possible)

We consider that the phrase "up to a maximum of 30 homes" should be replaced by "an in the region of approximately 30 homes"

(Please note that the Planning Inspector will make the final decision on who will be invited to attend individual sessions at the examination, although all members of the public may observe the proceedings)

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If your representation is seeking a change to the Local Plan, do you consider it necessary to participate in the oral part of the examination? Yes

If you wish to participate in the oral part of the examination, please outline why you consider it to be necessary?

It is essential that the examination inspector recognises the valuable contribution that can be made to housing delivery from smaller sites in villages

Comment

Agent	Mr Martin Miller (1190984)
Email Address	[REDACTED]
Company / Organisation	Terence O'Rourke
Address	Everdene House Deansleigh Road Bournemouth BH77DU
Consultee	(1191014)
Company / Organisation	The Rempstone Estate
Address	[REDACTED] [REDACTED] [REDACTED]
Event Name	Purbeck Local Plan Pre-submission Draft
Comment by	The Rempstone Estate (- 1191014)
Comment ID	PLPP311
Response Date	03/12/18 11:01
Consultation Point	Policy H9: Housing mix (View)
Status	Processed
Submission Type	Web
Version	0.1
Are you responding on behalf of a group?	No
Please tick the box(es) if you would like to be notified at an address/email address of the following:	
Which policy / paragraph number / policies map does your comment relate to?	Policy H9
Do you consider that the Local Plan is legally compliant?	Yes
Do you consider that the Local Plan is sound?	No

Do you consider that the Local Plan complies with the duty to co-operate? Yes

Please give details of why you consider this part of the Local Plan is / is not legally compliant, sound or fails to comply with the duty to co-operate. (Please be as precise as possible)

We fully support the acknowledgement that there is a need to achieve mixed and balanced communities in the revised NPPF. However, we object to criterion (b) which requires 10% of proposed market homes to comprise single storey dwellings. Paragraph 117 of the NPPF requires planning policies to promote an effective use of land in meeting the need for homes. Bungalows, however, have large footprints and they fail to utilise the airspace above meaning that they do not make efficient use of a scarce resource. Furthermore, the updated Strategic Housing Market Assessment (SHMA update 2018) did not identify the need for any single storey homes, and so this element of policy H9 is neither supported by national planning policy nor the council's own evidence base.

Having regard to your previous comments, please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound. You will need to say why this change will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording for any policy or text and where appropriate provide evidence necessary to support / justify the representation. (Please be as precise as possible)

The requirement to provide bungalows as part of new developments should be deleted.

(Please note that the Planning Inspector will make the final decision on who will be invited to attend individual sessions at the examination, although all members of the public may observe the proceedings)

Only those who have made representations to the Local Plan during the statutory six week pre-submission publication period will be allowed to participate in the public examination.

If your representation is seeking a change to the Local Plan, do you consider it necessary to participate in the oral part of the examination? Yes

If you wish to participate in the oral part of the examination, please outline why you consider it to be necessary?

It is essential that the examination inspector understands that there is no evidence base supporting this element of policy H9

Comment

Agent	Mr Martin Miller (1190984)
Email Address	[REDACTED]
Company / Organisation	Terence O'Rourke
Address	Everdene House Deansleigh Road Bournemouth BH77DU
Consultee	(1191014)
Company / Organisation	The Rempstone Estate
Address	[REDACTED] [REDACTED] [REDACTED]
Event Name	Purbeck Local Plan Pre-submission Draft
Comment by	The Rempstone Estate (- 1191014)
Comment ID	PLPP312
Response Date	03/12/18 11:04
Consultation Point	Policy E9: Poole Harbour (View)
Status	Processed
Submission Type	Web
Version	0.1
Are you responding on behalf of a group?	No
Please tick the box(es) if you would like to be notified at an address/email address of the following:	
Which policy / paragraph number / policies map does your comment relate to?	Policy E9
Do you consider that the Local Plan is legally compliant?	Yes
Do you consider that the Local Plan is sound?	No

Do you consider that the Local Plan complies with the duty to co-operate? Yes

Please give details of why you consider this part of the Local Plan is / is not legally compliant, sound or fails to comply with the duty to co-operate. (Please be as precise as possible)

Whilst we accept that there is a need to refuse planning applications for development that would lead to adverse effects upon the integrity of the Poole Harbour SPA, SSSI and Ramsar site, we object to the recreational effects element of this policy. Given that a Recreation in Poole Harbour SPD is in preparation but not finalised, there is no evidence base to support this element of the policy. In our opinion, Poole Harbour is a resource of sub-regional significance and will attract visitors from considerable distance to partake in recreational activities within it. We therefore have particular concerns about the relevance and definition of the areas that are located "around the edges of the harbour", as this seems to stem from an unproven assumption that the greatest impacts on the harbour will be generated by developments located closest to it.

Having regard to your previous comments, please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound. You will need to say why this change will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording for any policy or text and where appropriate provide evidence necessary to support / justify the representation. (Please be as precise as possible)

The final element of the policy should be deleted.

(Please note that the Planning Inspector will make the final decision on who will be invited to attend individual sessions at the examination, although all members of the public may observe the proceedings)

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If your representation is seeking a change to the Local Plan, do you consider it necessary to participate in the oral part of the examination? Yes

If you wish to participate in the oral part of the examination, please outline why you consider it to be necessary?

It is essential that the inspector understands the evidence base and how this policy will adversely impact on businesses operating close to Poole Harbour.

Comment

Consultee	Peter Fenning (1192344)
Email Address	██████████
Company / Organisation	Trees for Dorset
Address	9 Avon Wharf Christchurch BH23 1DJ
Event Name	Purbeck Local Plan Pre-submission Draft
Comment by	Trees for Dorset (Peter Fenning - 1192344)
Comment ID	PLPP615
Response Date	30/11/18 10:33
Consultation Point	Policy E10: Biodiversity and geodiversity (View)
Status	Processed
Submission Type	Letter
Version	0.3
Files	E10-Fenning-trees-for-dorset-PLPP615.pdf
Are you responding on behalf of a group?	Yes
If yes, how many people do you represent?	12
Please tick the box(es) if you would like to be notified at an address/email address of the following:	<input type="checkbox"/> The submission of Local Plan to the Secretary of State for Public Examination <input type="checkbox"/> The publication of the recommendations of any person appointed to carry out an the Examination of the Local Plan (the Inspector's Report) <input type="checkbox"/> The adoption of the Purbeck Local Plan
Which policy / paragraph number / policies map does your comment relate to?	E10 Paragraph 97
Do you consider that the Local Plan is sound?	No

(Please note that the Planning Inspector will make the final decision on who will be invited to attend individual sessions at the examination, although all members of the public may observe the proceedings)

Only those who have made representations to the Local Plan during the statutory six week pre-submission publication period will be allowed to participate in the public examination.

If your representation is seeking a change to the Local Plan, do you consider it necessary to participate in the oral part of the examination? No



For Office Use Only

Requester ID: 013

Consultee ID: 1192344

Comment ID's: PLPP615

PART B

1. Which part of the Purbeck Local Plan does your representation relate to? Separate forms must be completed for each separate policy or paragraph you wish to comment on.

Policy number	E 10
Policies map	
Paragraph number	97

2. Do you consider that the Local Plan is:

- | | | | | |
|---|-----|--------------------------|----|-------------------------------------|
| • Legally compliant | Yes | <input type="checkbox"/> | No | <input type="checkbox"/> |
| • Sound | Yes | <input type="checkbox"/> | No | <input checked="" type="checkbox"/> |
| • Complies with the duty to co-operate. | Yes | <input type="checkbox"/> | No | <input type="checkbox"/> |

If your representation relates to how the Council has prepared the Local Plan it is likely to relate to legal compliance. The Plan must:

- comply with Section 20 of the Planning and Compulsory Purchase Act 2004 and other related legislation;
- be in accordance with the Council's Local Development Scheme and Statement of Community Involvement;
- comply with the Town and Country Planning (Local Planning) (England) Regulations 2012, national planning policy and the duty to co-operate in relation to planning of sustainable development (section 110 of Localism Act 2011).

If your representation relates to the content of the Local Plan, it is likely to relate to its soundness. To be considered sound the plan must be:

- positively prepared - providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
- justified - an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
- effective - deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
- consistent with national policy - enabling the delivery of sustainable development in accordance with the policies in the Government's National Planning Policy Framework.

If your representation relates to how the Council has consulted with other relevant bodies during the plan making process, it is likely to relate to how the plan process has complied with the duty to co-operate in relation to the planning of sustainable development.

3. Please give details of why you consider the policy, policies map or paragraph number of the Local Plan is / is not legally compliant, sound or fails to comply with the duty to co-operate. (Please be as precise as possible).

1.0 Our Organisation "Trees for Dorset" (TFD) considers that in the matter of the proposed Wool development the Purbeck Local Plan pre submission is not sound in that it fails to give details or location of a proposed new SANG location which is required to accompany this development. It is also unsound because it is contrary to both Local and Natural Environmental Protection Policy

There are only two reference to this SANG of which one is a small insert on a plan of Purbeck within the consultation portal. This simply states "470 new homes and a SANG".

Policy H5 at Wool does not mention the SANG and the map at 127 does not mark the SANG site but has a header stating 470 homes and a SANG

2.0 Reference to Policy V1 Spacial Strategy -allocated sites simply states" Wool -470 new homes".

TFD understands that from local enquiries that the proposed SANG site is Coombe Wood. It is unreasonable and unsound not to supply this specific information so that respondents to this presubmission can make informed comments

3.0 On the assumption that the above new SANG location is correct we refer to Chapter 3 Policy E10 Biodiversity and Geodiversity which is at item 97. It states that Applications for development that affects biodiversity includes, iter alia, Ancient Woodlands and veteran trees will be permitted where they ensure that any features of nature conservation, biodiversity and geodiversity interest are protected to prevent and avoid any adverse impact and are appropriately managed.

4.0 Coombe Wood is listed on the Ancient Woodland Inventory and also contains a large area of Ancient Seminaturnal woodland. This contains 13 or more veteran oak, ash and maple trees which should enjoy equal protection as Ancient Woodland. One veteran oak is 4-500 years old and is a host to rare lichens. It is relevant to remind that one mature oak can provide a habitat for 4000 different species.

5.0 It is very relevant to refer to NPPF (2018) page 51 Policy 175c which states that

Development resulting in the loss or deterioration of irreplaceable habitats(such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists

6.0 TFD considers that to promote Coombe Wood as a SANG to protect neighbouring SPA heathlands and to attract away persons from using such SPAs for recreation and dog walking (with dogs off lead) to a protected site such as Coombe Woods does not accord with the two policies mentioned above at 3.0 and 5.0. It is simply replacing one fragile habitat for another.

7.0 A suitable compensation/ mitigation strategy to protect Coombe Wood to ensure that damage to tress will not occur due to increased public use, car parking areas, lighting fires, widening pathways, litter and the need for tree felling to make way for parkland activities is not possible and adverse impact will be unavoidable

8.0 TFD considers that the proposal to select Coombe Wood as A SANG is unsound and contrary to stated Local and National policies. An alternative site must be selected with full public consultation

4. Having regard to your comments in question 3, please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound. You will need to say why this change will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording for any policy or text and where appropriate provide evidence necessary to support/justify the representation. (Please be as precise as possible)

(Please continue on a separate sheet if necessary)

5. If your representation is seeking a change to the Local Plan, do you consider it necessary to participate in the oral part of the examination? Please note that the Planning Inspector will make the final decision on who will be invited to attend individual sessions of the examination, although all members of the public may observe the proceedings. Only those who have made representations to the Local Plan during the statutory six week pre-submission publication period will be allowed to participate in the public examination.

Yes

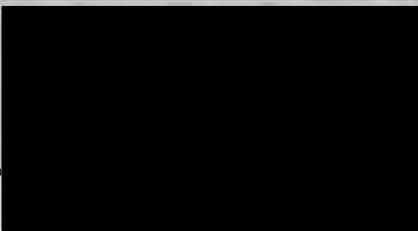
No

6. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary?

(Please continue on a separate sheet if necessary)

Please sign and date this form:

Signature:



Date: 29 November 2018.

Comment

Consultee Mr Graeme Tulley (1191258)
Email Address [REDACTED]
Address [REDACTED]
Event Name Purbeck Local Plan Pre-submission Draft
Comment by Mr Graeme Tulley (1191258)
Comment ID PLPP526
Response Date 03/12/18 19:23
Consultation Point Policy E1: Landscape ([View](#))
Status Processed
Submission Type Web
Version 0.2

Are you responding on behalf of a group? No

Please tick the box(es) if you would like to be notified at an address/email address of the following:

Which policy / paragraph number / policies map does your comment relate to? E1

Do you consider that the Local Plan is legally compliant? Yes

Do you consider that the Local Plan is sound? No

Do you consider that the Local Plan complies with the duty to co-operate? Yes

Please give details of why you consider this part of the Local Plan is / is not legally compliant, sound or fails to comply with the duty to co-operate. (Please be as precise as possible)

Draft Policy E1 looks to set out a presumption in favour of sustainable development within the AONB. This is not in accord with NPPF 11 and NPPF 172.

In the context of plan making NPPF 11(b) (i) makes clear that the presumption does not apply where “the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area”. NPPF Footnote note 6 lists out the relevant designated assets, which includes AONB.

NPPF 172 requires that“Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues”

Policy E1 should therefore be redrafted to make explicit the presumption does not exist in the AONB.

Having regard to your previous comments, please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound. You will need to say why this change will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording for any policy or text and where appropriate provide evidence necessary to support / justify the representation. (Please be as precise as possible)

E1 should read *(my bold italics)*

The Council attaches great weight to conserving and enhancing landscape and scenic beauty in the Area of Outstanding Natural Beauty. The scale and extent of any development within these designated areas will be limited. Development, other than major development (where the NPPF provides guidance), ***will only be permitted*** in the Area of Outstanding Natural Beauty (AONB) where proposals would conserve or enhance the natural beauty of the area and would be appropriate in terms of:

- 1 appearance, scale, height, layout;
- 2 any other effects on the character, such as noise, light and traffic;
- 3 ***assessment of any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated; and***
- 4 compliance with other policies in this Purbeck Local Plan.

The Council will also take account of the cumulative, and indirect, effects of development along with measures to avoid, reduce or compensate for any harmful impacts on the natural beauty of the AONB.

(Please note that the Planning Inspector will make the final decision on who will be invited to attend individual sessions at the examination, although all members of the public may observe the proceedings)

Only those who have made representations to the Local Plan during the statutory six week pre-submission publication period will be allowed to participate in the public examination.

If your representation is seeking a change to the Local Plan, do you consider it necessary to participate in the oral part of the examination? Yes

If you wish to participate in the oral part of the examination, please outline why you consider it to be necessary?

In order to fully articulate my representation.

Comment

Consultee	Mr Graeme Tulley (1191258)
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Event Name	Purbeck Local Plan Pre-submission Draft
Comment by	Mr Graeme Tulley (1191258)
Comment ID	PLPP527
Response Date	03/12/18 19:23
Consultation Point	Policy H2: The housing land supply (View)
Status	Processed
Submission Type	Web
Version	0.1
Are you responding on behalf of a group?	No

Please tick the box(es) if you would like to be notified at an address/email address of the following:

Which policy / paragraph number / policies map does your comment relate to?	H2
Do you consider that the Local Plan is legally compliant?	Yes
Do you consider that the Local Plan is sound?	No
Do you consider that the Local Plan complies with the duty to co-operate?	Yes

Please give details of why you consider this part of the Local Plan is / is not legally compliant, sound or fails to comply with the duty to co-operate. (Please be as precise as possible)

Draft Policy H2 sets out a target of 2688 new homes over the plan period of 2018 -2034. Of this some 933 new homes (i.e. 35% of the overall total) are expected to be delivered on" *Small sites next to existing settlements and windfall within existing settlements (excluding Wareham)*"

There is therefore a high reliance placed on small sites and windfall. NPPF 68 recognises that small sites can make an important contribution to meeting housing requirements.

The pre-submission local plan does not identify any small sites allocations, and there is no reference to any Site Allocations DPD. Therefore Policy H2 does not comply with NPPF 68 which requires local planning authorities to... *“a) identify, through the development plan (my italics) and brownfield registers, land to accommodate at least 10% of their housing requirement on sites no larger than one hectare”*.

Having regard to your previous comments, please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound. You will need to say why this change will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording for any policy or text and where appropriate provide evidence necessary to support / justify the representation. (Please be as precise as possible)

Policy H2 therefore needs to be accompanied by small site allocations within the draft Local Plan, to avoid widespread speculative development around existing settlements, particularly those in the AONB.

(Please note that the Planning Inspector will make the final decision on who will be invited to attend individual sessions at the examination, although all members of the public may observe the proceedings)

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If your representation is seeking a change to the Local Plan, do you consider it necessary to participate in the oral part of the examination? Yes

If you wish to participate in the oral part of the examination, please outline why you consider it to be necessary?

In order to fully articulate my representation

Comment

Consultee Mr Graeme Tulley (1191258)
Email Address [REDACTED]
Address [REDACTED]
Event Name Purbeck Local Plan Pre-submission Draft
Comment by Mr Graeme Tulley (1191258)
Comment ID PLPP528
Response Date 03/12/18 19:23
Consultation Point Policy H12: Rural exceptions sites ([View](#))
Status Processed
Submission Type Web
Version 0.2

Are you responding on behalf of a group? No

Please tick the box(es) if you would like to be notified at an address/email address of the following:

Which policy / paragraph number / policies map does your comment relate to? H12

Do you consider that the Local Plan is legally compliant? Yes

Do you consider that the Local Plan is sound? No

Do you consider that the Local Plan complies with the duty to co-operate? Yes

Please give details of why you consider this part of the Local Plan is / is not legally compliant, sound or fails to comply with the duty to co-operate. (Please be as precise as possible)

The reasoned justification for Policy H12 is headed "*Rural and entry level exception sites*". Policy H12 does not accord with NPPF 71 and 172.

NPPF 71(b) and Footnote 34 states ...” *Entry-level exception sites should not be permitted in National Parks (or within the Broads Authority), Areas of Outstanding Natural Beauty or land designated as Green Belt*”.

The reasoned justification at paragraph 178 of the draft Local Plan clearly recognises that the NPPF has a ... *“prohibition on entry-level exception sites in National Parks / AONB / green belt”*, however Policy H12 needs to make this explicit.

NPPF 172 states that... *“Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues”* Policy H12 should reflect this “great weight”.

Having regard to your previous comments, please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound. You will need to say why this change will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording for any policy or text and where appropriate provide evidence necessary to support / justify the representation. (Please be as precise as possible)

Policy H12 should therefore read as follows with additional criteria (e) - (g)

*“In order to meet local community needs in rural areas, except in the parishes of Swanage, Wareham, and Upton, and **“entry level” sites in the Green Belt and AONB (my italics)**, affordable housing will be permitted in and around existing settlements where*

1 – (c):

- 1 ***e) the Council is satisfied that an assessment of the cost of, and scope for, developing outside a designated area, or meeting the need for it in some other way has been assessed; and***
- 2 ***f) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated; and***
- 3 ***g) there are no other adverse impacts identified that would outweigh the local need for housing;***

(Please note that the Planning Inspector will make the final decision on who will be invited to attend individual sessions at the examination, although all members of the public may observe the proceedings)

Only those who have made representations to the Local Plan during the statutory six week pre-submission publication period will be allowed to participate in the public examination.

If your representation is seeking a change to the Local Plan, do you consider it necessary to participate in the oral part of the examination? Yes

If you wish to participate in the oral part of the examination, please outline why you consider it to be necessary?

In order to fully articulate my representations

Comment

Consultee	Mr Graeme Tulley (1191258)
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Event Name	Purbeck Local Plan Pre-submission Draft
Comment by	Mr Graeme Tulley (1191258)
Comment ID	PLPP529
Response Date	03/12/18 19:23
Consultation Point	Policy H8: Small sites next to existing settlements (View)
Status	Processed
Submission Type	Web
Version	0.1
Are you responding on behalf of a group?	No
Please tick the box(es) if you would like to be notified at an address/email address of the following:	
Which policy / paragraph number / policies map does your comment relate to?	H8
Do you consider that the Local Plan is legally compliant?	Yes
Do you consider that the Local Plan is sound?	No
Do you consider that the Local Plan complies with the duty to co-operate?	Yes

Please give details of why you consider this part of the Local Plan is / is not legally compliant, sound or fails to comply with the duty to co-operate. (Please be as precise as possible)

Policy H8 introduces the potential for further housing (on small sites of up to 30 dwellings) to come forward through the normal planning process (including land in the AONB and Green Belt) adjoining the settlement boundary that have not been allocated through a development plan.

This does not accord with NPPF 68 (a) which requires local planning authorities to... “a) *identify, through the development plan (my italics) and brownfield registers, land to accommodate at least 10% of their housing requirement on sites no larger than one hectare.*

The pre-submission Local Plan does not identify any small site allocations, and the Purbeck brownfield register (2017) only identifies capacity for 129 units on previously used land.

Having regard to your previous comments, please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound. You will need to say why this change will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording for any policy or text and where appropriate provide evidence necessary to support / justify the representation. (Please be as precise as possible)

In addition to identifying within the draft Local Plan small sites allocations, Policy H8 requires additional criteria to avoid widespread speculative development in and around existing settlements, particularly those in the AONB. Additional criteria to Policy H8 should include (*my italics*):

- 1 ***assessment of any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated;***
- 2 ***the site is not remote from existing buildings, and there is an opportunity to use sustainable modes of transport (walking, cycling and public transport) to access jobs, services and facilities; and***
- 3 ***there are no other adverse impacts identified that would outweigh the local need for housing;***

Policy H8 last sentence should be amended to read:

Where proposals would be within the green belt ***and AONB (my italics)*** only limited infilling, ***with a preference for*** sites positioned in-between existing buildings, ***and then*** within and around the edges of towns and villages will be permitted. Existing towns and villages are listed under 'settlement hierarchy' in the glossary of the Purbeck Local Plan.

(Please note that the Planning Inspector will make the final decision on who will be invited to attend individual sessions at the examination, although all members of the public may observe the proceedings)

Only those who have made representations to the Local Plan during the statutory six week pre-submission publication period will be allowed to participate in the public examination.

If your representation is seeking a change to the Local Plan, do you consider it necessary to participate in the oral part of the examination? Yes

If you wish to participate in the oral part of the examination, please outline why you consider it to be necessary?

in order to fully articulate my representation

Comment

Consultee	Daphne Turner (1192406)
Address	
Event Name	Purbeck Local Plan Pre-submission Draft
Comment by	Daphne Turner (1192406)
Comment ID	PLPP625
Response Date	03/12/18 13:53
Consultation Point	Policies List (View)
Status	Processed
Submission Type	Letter
Version	0.3
Files	DTurner-PLPP625.pdf

Are you responding on behalf of a group? No

Please tick the box(es) if you would like to be notified at an address/email address of the following:

Which policy / paragraph number / policies map does your comment relate to? All policies

Do you consider that the Local Plan is legally compliant? Yes

Do you consider that the Local Plan is sound? Yes

Do you consider that the Local Plan complies with the duty to co-operate? Yes

(Please note that the Planning Inspector will make the final decision on who will be invited to attend individual sessions at the examination, although all members of the public may observe the proceedings)

Only those who have made representations to the Local Plan during the statutory six week pre-submission publication period will be allowed to participate in the public examination.

If your representation is seeking a change to the Local Plan, do you consider it necessary to participate in the oral part of the examination? No

For Office Use Only

Requester ID: 0030
 Consultee ID: 1192406
 Comment ID's: PLPP625



PART B

1. Which part of the Purbeck Local Plan does your representation relate to? Separate forms must be completed for each separate policy or paragraph you wish to comment on.

Policy number	ALL POLICIES
Policies map	
Paragraph number	

2. Do you consider that the Local Plan is:

- | | | | | |
|---|-----|-------------------------------------|----|--------------------------|
| • Legally compliant | Yes | <input checked="" type="checkbox"/> | No | <input type="checkbox"/> |
| • Sound | Yes | <input checked="" type="checkbox"/> | No | <input type="checkbox"/> |
| • Complies with the duty to co-operate. | Yes | <input checked="" type="checkbox"/> | No | <input type="checkbox"/> |

If your representation relates to how the Council has prepared the Local Plan it is likely to relate to legal compliance. The Plan must:

- comply with Section 20 of the Planning and Compulsory Purchase Act 2004 and other related legislation;
- be in accordance with the Council's Local Development Scheme and Statement of Community Involvement;
- comply with the Town and Country Planning (Local Planning) (England) Regulations 2012, national planning policy and the duty to co-operate in relation to planning of sustainable development (section 110 of Localism Act 2011).

If your representation relates to the content of the Local Plan, it is likely to relate to its soundness. To be considered sound the plan must be:

- positively prepared - providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
- justified - an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
- effective - deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
- consistent with national policy - enabling the delivery of sustainable development in accordance with the policies in the Government's National Planning Policy Framework.

If your representation relates to how the Council has consulted with other relevant bodies during the plan making process, it is likely to relate to how the plan process has complied with the duty to co-operate in relation to the planning of sustainable development.

3. Please give details of why you consider the policy, policies map or paragraph number of the Local Plan is / is not legally compliant, sound or fails to comply with the duty to co-operate. (Please be as precise as possible).

(Please continue on a separate sheet if necessary)

Comment

Agent	Mr Martin Miller (1190984)
Email Address	[REDACTED]
Company / Organisation	Terence O'Rourke
Address	Everdene House Deansleigh Road Bournemouth BH77DU
Consultee	Mrs Fiona Turner (1191218)
Address	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Event Name	Purbeck Local Plan Pre-submission Draft
Comment by	Mrs Fiona Turner (1191218)
Comment ID	PLPP459
Response Date	03/12/18 16:41
Consultation Point	Policy V2: Green belt (View)
Status	Processed
Submission Type	Web
Version	0.1
Are you responding on behalf of a group?	No
Please tick the box(es) if you would like to be notified at an address/email address of the following:	
Which policy / paragraph number / policies map does your comment relate to?	Vision V2
Do you consider that the Local Plan is legally compliant?	Yes
Do you consider that the Local Plan is sound?	No

Do you consider that the Local Plan complies with the duty to co-operate? Yes

Please give details of why you consider this part of the Local Plan is / is not legally compliant, sound or fails to comply with the duty to co-operate. (Please be as precise as possible)

Purbeck District Council is constrained and is not awash with good opportunities for housing development in sustainable locations, and particularly areas close to existing town centres. The District Council is proposing to amend the green belt boundary in several parts of the district (including at North Wareham) to facilitate sustainable development, the principle of which we support.

However, our client controls a small piece of land adjoining the urban area and settlement boundary of Wareham at Bestwall Road. Due to its proximity to the town centre and its lack of physical constraints, the site would make a good location for the development of up to 10 houses, including affordable housing. However, both Purbeck District Council's green belt review and AECOM's sustainability appraisal of sites that have been considered for development within the Wareham Neighbourhood Plan were both flawed, leading to the site's potential for release from the green belt to facilitate sustainable development, being overlooked. The flaws in the green belt review were brought to the Council's attention on 8 March 2018 as part of our response to the Purbeck Local Plan Review New Homes for Purbeck Consultation (March 2018).

Whilst the site could potentially be brought forward within the green belt as a rural exceptions site (the site is in the countryside because it lies beyond the defined settlement), the council's rural exceptions site policy prevents land adjoining the settlement of Wareham from qualifying. The opportunity for affordable housing to be brought forward in a sustainable location is therefore being denied.

Having regard to your previous comments, please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound. You will need to say why this change will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording for any policy or text and where appropriate provide evidence necessary to support / justify the representation. (Please be as precise as possible)

The flaws in the green belt review need to be addressed and the site should be removed from the green belt to facilitate sustainable residential development.

(Please note that the Planning Inspector will make the final decision on who will be invited to attend individual sessions at the examination, although all members of the public may observe the proceedings)

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If your representation is seeking a change to the Local Plan, do you consider it necessary to participate in the oral part of the examination? Yes

If you wish to participate in the oral part of the examination, please outline why you consider it to be necessary?

Our client wishes to make the examination inspector aware of the deficiencies with the council's green belt review and to highlight the merits of the site's potential development for housing, including for affordable housing.

Comment

Agent	Mr Martin Miller (1190984)
Email Address	[REDACTED]
Company / Organisation	Terence O'Rourke
Address	Everdene House Deansleigh Road Bournemouth BH77DU
Consultee	Mrs Fiona Turner (1191218)
Address	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Event Name	Purbeck Local Plan Pre-submission Draft
Comment by	Mrs Fiona Turner (1191218)
Comment ID	PLPP466
Response Date	03/12/18 16:46
Consultation Point	Policy H12: Rural exceptions sites (View)
Status	Processed
Submission Type	Web
Version	0.1
Are you responding on behalf of a group?	No
Please tick the box(es) if you would like to be notified at an address/email address of the following:	
Which policy / paragraph number / policies map does your comment relate to?	Policy H12
Do you consider that the Local Plan is legally compliant?	Yes
Do you consider that the Local Plan is sound?	No

Do you consider that the Local Plan complies with the duty to co-operate? Yes

Please give details of why you consider this part of the Local Plan is / is not legally compliant, sound or fails to comply with the duty to co-operate. (Please be as precise as possible)

Purbeck District Council is constrained and is not awash with good opportunities for housing development in sustainable locations, and particularly areas close to existing town centres. The District Council is proposing to amend the green belt boundary in several parts of the district (including at North Wareham) to facilitate sustainable development, the principle of which we support.

However, our client controls a small piece of land adjoining the urban area and settlement boundary of Wareham at Bestwall Road. Due to its proximity to the town centre and its lack of physical constraints, the site would make a good location for the development of up to 10 houses, including affordable housing given the site's location within the green belt.

Whilst the site could potentially be brought forward within the green belt as a rural exceptions site (the site is in the countryside because it lies beyond the defined settlement), policy H12 prevents land adjoining the settlement of Wareham from qualifying. The opportunity for affordable housing to be brought forward in a sustainable location is therefore being denied, unnecessarily.

Having regard to your previous comments, please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound. You will need to say why this change will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording for any policy or text and where appropriate provide evidence necessary to support / justify the representation. (Please be as precise as possible)

In order to be able to develop this highly sustainable site for affordable housing, we wish to see the reference to Wareham be deleted from policy H12.

(Please note that the Planning Inspector will make the final decision on who will be invited to attend individual sessions at the examination, although all members of the public may observe the proceedings)

Only those who have made representations to the Local Plan during the statutory six week pre-submission publication period will be allowed to participate in the public examination.

If your representation is seeking a change to the Local Plan, do you consider it necessary to participate in the oral part of the examination? Yes

If you wish to participate in the oral part of the examination, please outline why you consider it to be necessary?

We wish the examination inspector to be aware of the site's sustainable credentials and to the contribution that this site could make to the delivery of affordable housing in the borough, given the lack of opportunities elsewhere.