

Sturminster Newton  
Neighbourhood Development Plan  
**Regulation 16 Consultation**  
**Submission Version**



**May 2018**

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# APPENDICES

Appendix 1 Land off Manston Road, Sturminster Newton– Site Location Plan

# 1 INTRODUCTION

## 1.1 Context

- 1.1.1 Gladman Developments Ltd (hereafter referred to “Gladman”) specialise in the promotion of strategic land for residential development and associated community infrastructure. From this experience, we understand the need for the planning system to deliver the homes, jobs and thriving local places that the country needs.
- 1.1.2 These representations provide Gladman’s response to the submission version of the Sturminster Newton Neighbourhood Plan (SNP) under Regulation 16 of the Neighbourhood Planning (General) Regulations 2012.
- 1.1.3 Through these representations, Gladman provides an analysis of the SNP and the policy decisions promoted within the Plan. Comments made by Gladman through these representations are provided in consideration of the SNP’s vision, objectives, suite of policies and its ability to fulfil the Neighbourhood Plan Basic Conditions as established by paragraph 8(2) of Schedule 4b of the Town and Country Planning Act 1990 (as amended) and supported by the Neighbourhood Plan chapter of the PPG<sup>1</sup>.
- 1.1.4 In accordance with the Neighbourhood Plan Basic Conditions, Neighbourhood Plan policies should align with the requirements of the National Planning Policy Framework (the Framework) and the wider strategic policies for the area set out in the Council’s adopted Development Plan. Neighbourhood Plans should provide a policy framework that complements and supports the requirements set out in these higher-order documents, setting out further, locally-specific requirements that will be applied to development proposals coming forward.
- 1.1.5 The SNP should only be progressed if it meets the Neighbourhood Plan Basic Conditions, supported by a robust and proportionate evidence base.
- 1.1.6 The Framework is clear that Neighbourhood Plans cannot introduce policies and proposals that would prevent sustainable development opportunities from going ahead. They are required to plan positively for new development, enabling sufficient growth to take place to meet the development needs for the area and assist local authorities in delivering full objectively assessed needs (OAN) for housing. Policies that are not clearly worded or are intended to place an unjustified constraint on further sustainable development from taking place are not consistent with the requirements of the Framework or the Neighbourhood Plan Basic Conditions.
- 1.1.7 The SNP should not seek to include policies in the Neighbourhood Plan that have no planning basis or are inconsistent with national and local policy obligations. Proposals should be appropriately

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<sup>1</sup> Section ID: 41

justified by the findings of a supporting evidence base and must be sufficiently clear to be capable of being interpreted by applicants and decision makers. Policies and proposals contained in the SNP should be designed to add value to existing policies and national guidance, as opposed to replicating their requirements.

## 2 LEGAL REQUIREMENTS, NATIONAL POLICY & JUDGEMENTS

### 2.1 Legal Requirements

2.1.1 Before a neighbourhood plan can proceed to referendum it must be tested against a set of basic conditions set out in paragraph 8(2) of Schedule 4b of the Town and Country Planning Act 1990 (as amended). The Basic Conditions that the SNP must meet are as follows:

- a) Having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the order.
- d) The making of the order contributes to the achievement of sustainable development.
- e) The making of the order is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area).
- f) The making of the order does not breach, and is otherwise compatible with, EU obligations.

### 2.2 National Planning Policy Framework, & Planning Practice Guidance

#### National Planning Policy Framework

2.2.1 The National Planning Policy Framework (the Framework) sets out the Government's planning policies for England and how these are expected to be applied. In doing so it provides guidance on the requirement for the preparation of neighbourhood plans to be in general conformity with the strategic priorities for the wider area and defines the role which neighbourhood plans can play in delivering sustainable development.

2.2.2 At the heart of the Framework, is a "*presumption in favour of sustainable development*" which, as outlined in paragraph 14, should be seen as a golden thread running through both plan-making and decision taking. For plan-making this means that plan makers should positively seek opportunities to meet the development needs of their area and Local Plans should meet Objectively Assessed Needs (OAN) for housing, with sufficient flexibility to adapt to rapid change. This requirement is also applicable to neighbourhood plans.

2.2.3 Paragraph 16 of the Framework makes clear that the presumption in favour has implications for how communities engage in neighbourhood planning, stating that neighbourhoods should;

- **"Develop plans that support the strategic development needs set out in Local Plans, including policies for housing and economic development;**

- **Plan positively to support local development, shaping and directing development in their area that is outside the strategic elements of the Local Plan; and**
- **Identify opportunities to use Neighbourhood Development Orders to enable developments that are consistent with their neighbourhood plan to proceed. “**

2.2.4 Furthermore, paragraph 17 sets out that neighbourhood plans should define a succinct and positive vision for the future of the area and that neighbourhood plans should provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency. In addition, neighbourhood plans should seek to proactively drive and support sustainable economic development to deliver the homes, jobs and thriving local places that the country needs, whilst responding positively to the wider opportunities for growth.

2.2.5 Further guidance for groups involved with the production of neighbourhood plans is specified at paragraph 184;

**“Neighbourhood planning provides a powerful set of tools for local people to ensure that they get the right types of development for their community. The ambition of the neighbourhood should be aligned with the strategic needs and priorities of the wider local area. Neighbourhood plans must be in general conformity with the strategic policies of the Local Plan. To facilitate this, local planning authorities should set out clearly their strategic policies for the area and ensure that an up-to-date Local Plan is in place as quickly as possible. Neighbourhood plans should reflect these policies and neighbourhoods should plan positively to support them. Neighbourhood plans and orders should not promote less development than set out in the Local Plan or undermine its strategic policies.”**

### **Planning Practice Guidance**

2.2.6 It is clear from the requirements in the Framework that neighbourhood plan policies should be prepared in general conformity with the strategic requirements for the wider areas, as confirmed in an adopted Development Plan. The requirements set out in the Framework have now been supplemented by the publication of Planning Practice Guidance (PPG).

2.2.7 The PPG also emphasises that;

**“...blanket policies restricting housing development in some settlements and preventing other settlements from expanding should be avoided unless their use can be supported by robust evidence”**

2.2.8 With further emphasis that;

**“.... All settlements can play a role in delivering sustainable development in rural areas – and so blanket policies restricting housing development in some settlements and preventing other settlements from expanding should be avoided unless their use can be supported by robust evidence.”<sup>2</sup>**

2.2.9 Accordingly, the SNP will need to ensure that it takes into account the latest guidance issued by the SoS so that it can be found to meet basic conditions (a) and (d).

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<sup>2</sup> Paragraph: 044 Reference ID: 41-044-20160519 (Revised 19/05/2016).

## **3 DEVELOPMENT PLAN**

### **3.1 Adopted Development Plan**

- 3.1.1 To meet the requirements of the Framework and the Neighbourhood Plan Basic Conditions, Neighbourhood Plans should be prepared to conform to the strategic policy requirements set out in the adopted Development Plan.
- 3.1.2 The current adopted plan that covers the Sturminster Newton Neighbourhood Plan area and the Development Plan which the SNP will be tested against is the North Dorset Local Plan Part 1, adopted in January 2016, covering the period 2011 to 2031.
- 3.1.3 Policy 6 of the Local Plan sets out the strategic approach to housing provision in North Dorset District and states that the Council will seek to maintain a flexible supply of housing, making provision for at least 5,700 new homes over the plan period.
- 3.1.4 Within the adopted Local Plan, Sturminster Newton is identified as a main service centre and Policy 19 sets out a specific target to deliver at least 395 dwellings in the settlement across the plan period.

### **3.2 Emerging Development Plan**

- 3.2.1 The Council is in the early stages of producing a Local Plan Review which will replace both the Local Plan adopted in 2003 and the Local Plan Part 1 once in place. An initial Issues and Options consultation on the emerging Local Plan concluded on 22nd January 2018, with a further Preferred Options consultation currently scheduled for 2019.
- 3.2.2 As part of their Issues and Options consultation, the Council undertook a '360 degree' assessment of potential growth locations adjacent to the existing Sturminster Newton settlement area. Due to the flooding constraints that affect land to the south and west of this town, this exercise identified land to the north and east of the settlement (Assessment Areas A and B) as having the most potential to accommodate further development.
- 3.2.3 In light of the Council's emerging Local Plan proposals and the likely need to deliver a higher level of homes to meet North Dorset's full objectively assessed needs, Gladman recommend that sufficient flexibility should be written into the SNP's policies to respond to changing local circumstances, and to address the district's strategic development needs. The SNP should acknowledge the aspirations of the Council's emerging Local Plan, including its preferences for the future direction of growth within the town.



## **4 STURMINSTER NEWTON NEIGHBOURHOOD PLAN**

### **4.1 Context**

4.1.1 These representations are made in response to the current consultation on the submission version of the SNP, under Regulation 16 of the Neighbourhood Planning (General) Regulations 2012. This chapter of the representation highlights the key points that Gladman raise with regard to the content of the SNP as currently proposed.

### **4.2 Vision & Objectives**

4.2.1 The Framework seeks to promote sustainable development to meet identified housing needs. The SNP should therefore seek to reflect these objectives to ensure that the ongoing sustainability of Sturminster Newton, and plan for meaningful growth within the town to ensure the ongoing vitality and viability of the settlement's local services and facilities.

4.2.2 Gladman support the overall thrust of the vision and objectives set out within the Neighbourhood Plan. We are particularly pleased to note the intention to accommodate the growth planned for the area, but suggest that the vision and objectives set out within the plan should go further and seek to future proof the vision for the area, in preparation for the potential growth that will be required as part of the emerging Local Plan.

### **4.3 Neighbourhood Plan Policies**

4.3.1 This section of Gladman's representations is made in response to those policies which still need to be addressed and amended through modification and/or deleted following the previous round of consultation.

4.3.2 In a number of instances, Gladman believe that there is a lack of flexibility drafted in to the SNP's policies, to allow further sustainable development to come forward within the Plan period, in addition to that which is already being planned for. The lack of flexibility within the plan would not allow it to respond to rapid change, particularly in light of the Council's emerging Local Plan proposals, and up-to-date evidence of North Dorset's full objectively assessed housing needs.

#### *Policy 1 – Design and character of buildings and their settings*

4.3.3 Policy 1 states that all development should be of a high quality and goes on to set out a number of design requirements relating to appearance and construction materials.

4.3.4 Whilst Gladman recognise the importance of high quality design, planning policies should not be overly prescriptive and need to provide flexibility in order for schemes to respond to site specific circumstances and the character of the local area. There will not be a 'one size fits all' solution in relation to design and sites should be considered on a site by site basis with consideration given to various design principles.

4.3.5 Gladman therefore suggest that more flexibility should be written into the wording of Policy 1 to ensure that a high quality and inclusive design is not compromised by aesthetic requirements alone. We consider that to do so could act to impact on the viability of proposed residential developments.

4.3.6 Once again we suggest that regard should be had to paragraph 60 of the NPPF which states that: *"Planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles"*.

Policy 2 – Important views and landscape sensitivity

4.3.7 Policy 2 states that development will not be supported if it would adversely affect identified views.

4.3.8 We submit that new development can often be located in areas without eroding the views considered to be important to the local community and can be appropriately designed to take into consideration the wider landscape features of a surrounding area to provide new vistas and views.

4.3.9 In addition, Gladman consider that to be valued, a view would need to have some form of physical attribute, and as such the policy or supporting text must identify which views contain such a physical feature. This policy must allow a decision maker to come to a view as to whether particular locations contains physical attributes that would 'take it out of the ordinary' rather than selecting views which may not have any landscape significance and are based solely on community support.

Policy 7 – Housing numbers and locations

4.3.10 Policy 7 states that the plan makes provision for in excess of the 395 dwellings target set out within the adopted Local Plan. Supporting table 4 sets out the locations and numbers to be delivered on allocated sites. The indicative capacity set out identifies the provision of 414 dwellings with a potential for a further 90 dwellings on reserve sites.

4.3.11 Gladman suggest that wording of Policy 7 and its supporting text should explicitly state that the figures of 395 and 414 (+90) are not intended as a cap on development, and, should it become evident that further growth is needed, the plan is supportive of sustainable development opportunities in addition to the identified allocated and reserve sites.

4.3.12 The Neighbourhood Plan working group should ensure that its proposed allocations are deliverable and have a realistic prospect of coming forward to meet the settlement's housing requirements. Gladman are aware that one or more sites proposed for allocation have been in the pipeline for several years, and are still to deliver any homes.

4.3.13 The policy further states that green field sites outside the settlement boundary, other than allocated or reserved sites, should not be released for development. In this regard, whilst Gladman recognise the advice on identifying 'reserve sites' contained within the PPG (ID: 41-009), we question the

ability of the SNP to predetermine decisions that ought to be properly taken at the strategic level through the emerging Local Plan review process. Further housing sites, over of the above those presently identified in the SNP, may be required to meet North Dorset's strategic development needs.

- 4.3.14 Gladman do not consider the use of settlement boundaries to be an effective response to future development proposals if they would act to preclude the delivery of otherwise sustainable development opportunities, as indicated in the policy. The Framework is clear that development which is sustainable should go ahead without delay. The use of settlement limits to arbitrarily restrict suitable development from coming forward on the edge of settlements does not accord with the positive approach to growth required by the Framework and is contrary to basic condition (a).

*Policy 31 – Rixon and Eastern Fringe character*

- 4.3.15 Gladman are pleased to note that this policy recognises the potential to deliver sustainable development to the east of Sturminster Newton, subject to respecting the character of the Rixon Eastern Fringe area. In this regard, we believe this location could successfully accommodate a sustainable residential development proposal, which could be readily assimilated into its surroundings.
- 4.3.16 As stated above however, we suggest that more flexibility should be provided in the policy wording to ensure that a high quality and inclusive design is not compromised by aesthetic requirements alone.

## **5 STRATEGIC ENVIRONMENT ASSESSMENT**

### **5.1 Context**

- 5.1.1 The preparation of neighbourhood plans may fall under the scope of the Environmental Assessment of Plans and Programmes Regulations 2004 (SEA Regulations) that require a Strategic Environmental Assessment (SEA) to be undertaken where a Plan's proposals would be likely to have significant environmental effects.
- 5.1.2 The SEA is a systematic process that should be undertaken at each stage of a Plan's preparation. It should assess the effects of a neighbourhood plan's proposals and whether they would be likely to have significant environmental effects and whether the Plan is capable of achieving the delivery of sustainable development when judged against all reasonable alternatives.
- 5.1.3 Both the SEA Directive and Neighbourhood Planning PPG make expressly clear that an SEA Screening Assessment should be undertaken at the earliest opportunity<sup>3</sup>. Gladman agree with the decision to undertake an SEA to support the current consultation. However, Gladman are concerned with the assessment of the reasonable alternatives and suggest it is not clear why some sites have been rejected.
- 5.1.4 The decision making and scoring of the SEA should be robust, justified and transparent and should be undertaken through a comparative and equal assessment of each reasonable alternative. Too often SEA flags up the negative aspects of development whilst not fully considering the positive aspects which can be brought about through new opportunities for housing development and how these can influence landscape issues, social concerns and the economy.
- 5.1.5 Gladman are concerned with the assessment of reasonable alternatives and the lack of explanation as to why decisions have been made. If sites to the East of Sturminster have been rejected on landscape grounds this would conflict with Policy 31 of the SNP which recognises the development potential of this area, subject to appropriate design and mitigation measures. Gladman suggest it may therefore be appropriate to revisit the assessment of reasonable alternatives prior to submitting the SNP for independent examination to avoid the risk of the plan failing to meet basic condition (f).

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<sup>3</sup> PPG Paragraph 029 Reference ID: 11-029-20150209

## **6 SITE SUBMISSION**

### **6.1 Land off Manston Road, Sturminster Newton**

6.1.1 Gladman would like to take this opportunity to make the Town Council aware of our land interests at Land off Manston Road, Sturminster Newton. A Location Plan for the site being promoted by Gladman is provided at Appendix 1 to this submission.

6.1.2 Land at Manston Road lies immediately adjacent to the east of the Sturminster Newton settlement area. The site extends to a total area of 3.75 ha, and is contained by established hedgerows to east, west and south, and the curtilage of and existing residential property to north.

6.1.3 Whilst Gladman acknowledge that the Land off Manston Road has previously been discounted as a preferred development location as part of the SNP process, we believe that there are no technical or environmental constraints that would preclude a sustainable residential development proposal from coming forward in this location:

- The site could result in the delivery of further market and affordable homes to meet North Dorset's full objectively assessed needs in the short term. In accordance with the Council's adopted policy requirements, 25% of the dwellings would be provided as affordable housing;
- The site could be successfully integrated its setting and surroundings. The land could be sensitively developed to respect the landscape character of the site and the surrounding area, and to minimise any harmful visual effects.
- An appropriate site access to serve the development could be achieved off Manston Road, and would be accompanied by the provision of further informal footpath and cycle links. The site is situated in a sustainable location in relation to Sturminster Newton's good range of existing services and facilities, and the ability to access these by sustainable modes of transport;
- Whilst the topography of the site slopes downwards from Manston Road towards the adjacent watercourse, the gradient of the site would not pose a constraint to development. Although parts of the site's eastern boundary are located in Flood Zone 3, no development will take place within these areas;
- Any development proposals would result in the delivery of new public open space in a high quality landscape setting, along with more informal recreation space and landscaping to meet the needs of existing and future residents.

6.1.4 The delivery of this scheme will result in significant benefits for the local community and surrounding area including the provision of New Homes Bonus payments, increasing the economic

activity of the area and provide a number of aspirations that are currently being targeted by the SNP that are not currently being planned for.

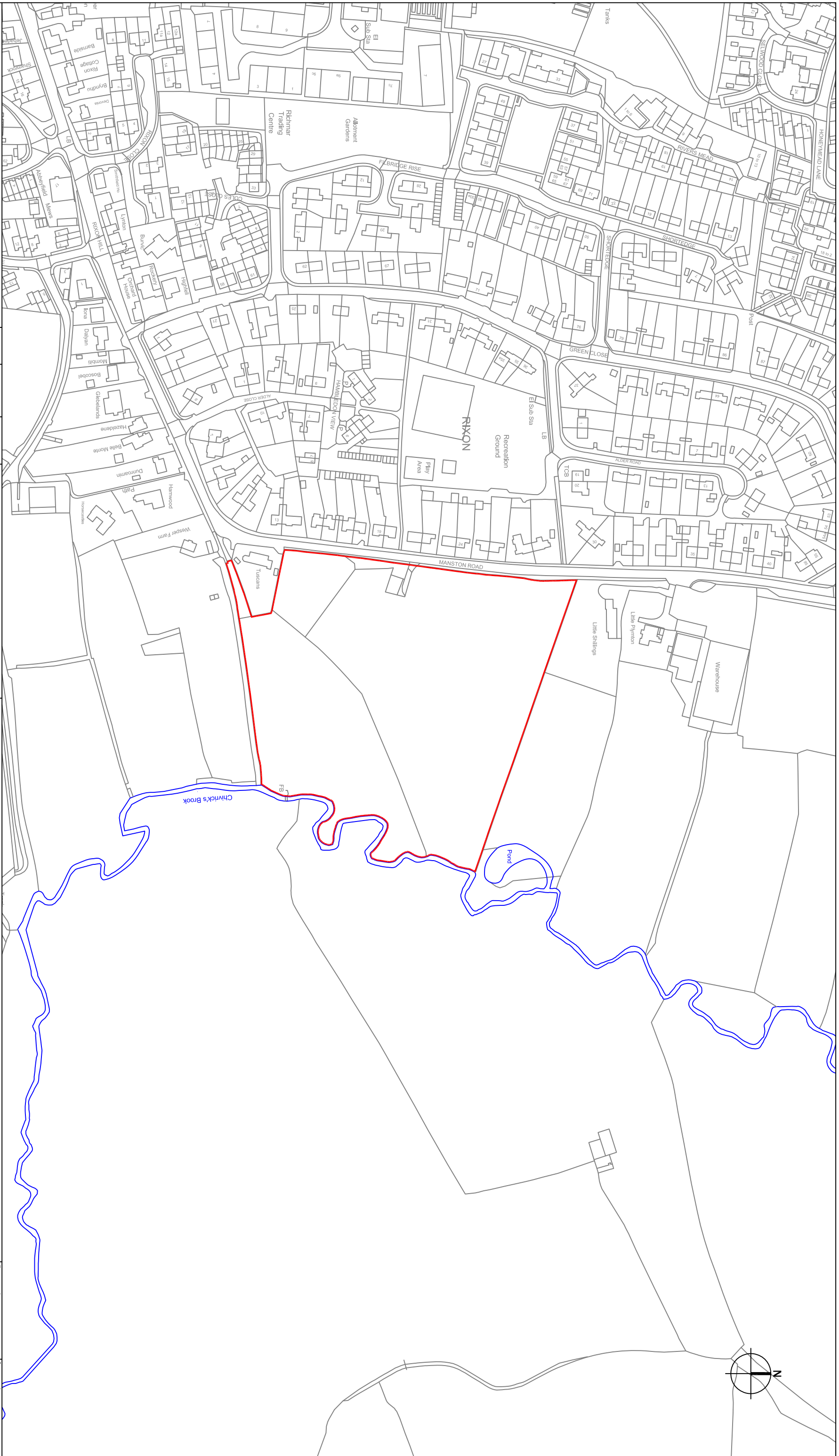
## **7 CONCLUSIONS**

- 7.1.1 Gladman recognises the Government’s ongoing commitment to neighbourhood planning and the role of such Plans as a tool for local people to shape the development of their local community. However, it is clear from national guidance that the SNP must be consistent with national planning policy and the need to take account of up-to-date housing needs evidence and the direction contained in the emerging Local Plan.
- 7.1.2 Through this consultation response, Gladman has sought to clarify the relationship of the SNP with the requirements of national planning policy and the strategic policies for the wider area.
- 7.1.3 Gladman is concerned that the plan in its current form does not comply with basic conditions (a) and (d). The plan does not conform with national policy and guidance and in its current form does not contribute to the achievement of sustainable development. Gladman formally request to participate at the hearing session(s) should the Examiner decide it necessary to discuss these issues in a public forum.

**APPENDIX 1 –**

**LAND OFF MANSTON ROAD, STURMINSTER NEWTON – SITE  
LOCATION PLAN**





**GLADMAN**

Status

* Rev	* Date	* By	* Revision notes
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**INFORMATION**

Project

**LAND OFF MANSTON ROAD**

Title

**LOCATION PLAN**

Drawn by AW	Issue date 03.05.18
Title checked by CHECKED BY	Title checked date CHECKED DATE
Highways checked by CHECKED BY	Highways checked date CHECKED DATE
Topo checked by CHECKED BY	Topo checked date CHECKED DATE
Scale(s)	

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