

NORTH DORSET LOCAL PLAN 2011 – 2026 PART 1

EXAMINATION

Inspector's requests and points arising during hearing sessions

Issue 8B: Gillingham SSA

Note on the evolution of and changes to the local centre within the SSA.

May 2015

This page is blank

1. Recommendation

- 1.1 The Council propose an amendment to the indication of the local centre location, to remove the boundary from around the former Shaftesbury Road corridor options, as shown on LP1 Fig. 9.5, and to replace it with a star notation within the Shaftesbury Road corridor to allow even greater flexibility for the provision of local centre uses, as shown in Statement of Common Ground NDDC and Gillingham Strategic Site Allocation Consortium Apx2 Proposals Map.

Contents

1.	Recommendation.....	4
2.	Introduction	6
3.	Evolution of and changes to the local centre	6
4.	Issues with garden centre	8
5.	Issues of land availability	9
6.	Place-making issues	11
7.	Conclusion.....	12

2. Introduction

- 2.1 During the LP 1 Examination Hearing Sessions the Inspector asked the Council to produce a note setting out the evolution of and changes to the local centre within the Strategic Site Allocation (SSA) including issues relating to the garden centre and land availability within the settlement boundary.
- 2.2 The ‘consortium’ of land controllers for part of the SSA offered during the Inquiry to provide an additional note for the Inspector. This has been received and, where appropriate, considered in this note.

3. Evolution of and changes to the local centre

- 3.1 The draft Core Strategy Policy for Gillingham CP16 was written prior to envisaging the southern extension as a strategic site allocation. The Council asked the Homes and Communities Advisory Team for Large Applications (ATLAS) to review the policy as a basis for delivering the proposed growth at Gillingham. One of the issues that ATLAS brought to the attention of the Council in their advice note of January 2011 related to the opportunity to use a SSA policy to set out a strong vision in place making/urban design terms. This point was articulated in part with reference to the Shaftesbury Road corridor:

“In place making terms the Shaftesbury Road (B3081) corridor will be a critical element of the planned extensions to the south of the town. Potentially at least three separate developments will come together in this corridor: i.e. the C G Fry residential-led development; employment development at Park Farm; and the Welbeck Land residential-led development. Policy 16 provides no insight, however, into what sort of place the Shaftesbury Road should be, or what form(s) of development are required in order to realize the intended outcomes.”

- 3.2 The Council’s decision to produce a strategic site allocation policy dealing specifically with the southern extension to Gillingham.
- 3.3 The requirements for the key elements of social infrastructure (i.e. education provision, front-line health care, community meeting space, and convenience retail) are based on proportionate evidence as provided by DCC, NHS England, best practice advice from ATLAS and the views of the local community, with the objective of creating a sustainable place.
- 3.4 In November 2012 the Council undertook a specific consultation exercise on options for the Southern Extension of Gillingham (COD003). The options included

whether to locate the local centre and primary school centrally within the residential development at Ham, or alongside the existing commercial development in the area of Orchard Park. The results of the consultation (COD005) showed that there was no significant preference in identifying a favoured location for the local centre out of the options provided.

- 3.5 Following the consultation in November 2012, the officers of both NDDC and DCC consulted ATLAS as to how to apply best practice and place-making principles to the options for the location of the local centre, and specifically how the option for the location within the Shaftesbury Road corridor might create a focal point for an integrated local centre in close proximity to the junction with the Principal Street. ATLAS circulated a note with an illustrated potential design solution to officers and the lead developers' design team.
- 3.6 In March 2013 representatives of the lead developers participated in the Concept Plan Workshop, together with other delivery stakeholders and members of the community. Survey and early master planning work commissioned by the lead developers informed the workshop. The design concept was based on the evidence available at the time, and on views expressed at the consultation workshop and they reflect the Atkins Report (MTC004) in its analysis of sustainable development.
- 3.7 ATLAS's report (COD031) on the same includes (at Figure 1, page 6) an analysis of how the six concept drawings addressed key aspects of the mixed-use development (including the local centre). All the participating groups suggested locating the local centre along with other commercial uses on the Shaftesbury Road, situated centrally between the two residential sites separated by the Shaftesbury Road. None of the participating groups suggested that the local centre should be situated at or beyond the garden centre. Most of the groups suggested that the local centre be located near the existing roundabout. The six concept drawings are included at Appendix 4 to the ATLAS report. The views of the participants were reflected in the Composite Concept Statement, which indicates an 'area of search' for the local centre that extends as far as the Hine Brothers land.
- 3.8 The location of the local centre along the Shaftesbury Road corridor was an output from the Concept Plan Workshop (COD031). The concepts presented on the Concept Plan (Fig 9.3 in LP 1) encapsulate the outputs from a consultation workshop, which focussed on how the outputs of the public consultation on the options for the Southern Extension of Gillingham (COD003) might be accommodated on the site.
- 3.9 The outputs from the Concept Plan Workshop have been incorporated into Policy 21 which is written in such a way as to provide flexibility in its approach to the delivery of the local centre by identifying a number of sites within the Shaftesbury Road corridor, all of which are within the proposed SSA boundary, and which are

capable of accommodating local centre uses, at the appropriate scale, and in different layouts.

- 3.10 In October 2013 the Council convened a meeting with all of the landowners within the SSA. The Council's objective was to further reiterate the key message to encourage the landowners to work together to produce the master plan framework (MPF) as a requirement of Policy 21, and to enter into a collaboration agreement, which would allow development costs and values to be shared. The Council considered this important in ensuring comprehensive master planning of the SSA as a whole. The Council had previously raised the issues of sharing costs and values and comprehensive master planning with the lead promoters through the ongoing discussions and negotiations.
- 3.11 At that meeting the three original lead promoters signalled their intention to form a consortium. They also explained the difficulties of joining with other landowners who were not in a position, or not prepared, to actively participate in the production of a master plan for the SSA as a whole. The Council showed appreciation of the difficulties and offered to act as a facilitator to progressing discussions where the landowners were having difficulty in meeting the Council's objective.

4. Issues with garden centre

- 4.1 By May 2014 the consortium had translated their earlier concerns, about not being able to form a positive business relationship with other landowners to deliver the preferred location for the local centre, into initial proposals for an alternative location beyond the garden centre. They submitted a proving or testing layout to demonstrate how the garden centre site could accommodate the full range of local centre uses, together with additional uses not referred to in the emerging Policy 21 (e.g. a Public House and a petrol filling station).
- 4.2 The proving layout set the local centre to the rear of the garden centre being accessed by a track that currently serves a farmhouse, which served to highlight that whilst the local centre proposed at this location might well be visible to passing traffic on the Shaftesbury Road, it would not be immediately accessible to pedestrians because of the necessary and considerable setback from the Shaftesbury Road itself (see Statement of Common Ground NDDC and Gillingham Strategic Site Allocation Consortium Apx1 Landownership). The land adjacent to the Shaftesbury Road at the garden centre is a Site of Archaeological Importance in the form of a former park pale and not offered for control to the 'consortium' by the landowner.

- 4.3 The proving layout also created a hard urban edge to Gillingham, which ignores the design principle that was developed at the Concept Plan Workshop: Character – Landscape Setting, and included in Policy 21.

“Particular care will be taken along its (the development) southern and eastern edges to ensure a sensitive transition between the extended town and the surrounding countryside, and retain important views into and out of the whole site.”

- 4.4 Moreover the various elements of the local centre would not be integrated with the residential development. In effect the proving layout suggested an urban form more akin to ‘local services’ (i.e. buildings arranged around a car park) rather than the integrated ‘heart’ of a mainly residential neighbourhood. The location at the rear of the garden centre is also divorced from the proposed access of the Principal Street onto the Shaftesbury Road on the Ham side of the residential development. This misses the opportunity for place-making that could integrate the local centre at the ‘heart’ of the Southern Extension. This led officers to look again at potential alternative locations within the SSA boundary.
- 4.5 Orchard Park Garden Centre had confirmed by letter dated 16.06.14 that owners Lagan Farms would be prepared to offer this site and adjoining land for the purposes of a local centre. This land is currently included within the draft MPF as a potential location for the local centre. However, none of this land has direct frontage onto the Shaftesbury Road.

5. Issues of land availability

- 5.1 In June 2014 officers responded to the concerns of the ‘consortium’ about difficulties in delivering the proposed local centre in land outside its control. To enable an understanding of what the difficulties were, and to understand where best it could help unlock reported difficulties, the Council requested that the ‘consortium’ undertake due process to fully understand the most up to date position of availability of land as identified in the proposed allocation of the local centre.
- 5.2 As set out in the Statement of Common Ground between NDDC and Gillingham Strategic Site Allocation Consortium, the ‘consortium’ contacted landowners on the Shaftesbury Road corridor to ascertain their willingness to work with the ‘consortium’ to deliver the local centre on the Shaftesbury Road corridor in the locations shown on Figure 9.5 – Gillingham Southern Extension Proposals Map of Policy 21. The ‘consortiums’ findings were:
- Sydenhams: The Consortium met with Sydenhams several times between 2010 to 2012 and again at the meeting on 9 October 2013 organised by

NDDC. For operational and viability reasons this land is not available for development as the local centre.

- Land owned by Mr B Hopkins – Kingsmead Business Park: LP1 Figure 9.5 proposes that the local centre would be located partly on Mr B Hopkins land on the east side of Shaftesbury Road. The Consortium met Mr B Hopkins and his advisers on 14 August 2014 to discuss the potential to deliver a local centre on his land. Mr B Hopkins' agent Matthew Kendrick of Grassroots Planning confirmed by email dated 02.09.14 that the landowner would not be prepared to deliver the local centre and that he is pursuing alternative development proposals.
- Land Controlled by Hine Brothers: Welbeck Land controls land on the west side of Shaftesbury Road the freehold of which is owned by Hine Brothers. This land is included within the MPF as a potential location for the local centre.

- 5.3 The landholding of Higher Ham House owned by Richard Moore, and within the Shaftesbury Road corridor location for the local centre shown on Figure 9.5 – Gillingham Southern Extension Proposals Map of Policy 21, was not investigated by the 'consortium' as part of the due process. This site, in addition to the Hine Brothers Land, could give the 'consortium' further options on the configuration of delivery of the local centre. The Council has requested that the 'consortium' include this as part of their investigations into land availability to provide the local centre.
- 5.4 In September 2014 officers and ATLAS had met with the lead promoters and their design team. The Council had placed the local centre location issue on the agenda for discussion. At that meeting the Council articulated very clearly its requirements for the local centre components, and the possibility that they could be disaggregated if necessary: i.e. with the convenience retail having frontage onto Shaftesbury Road, but some of the other (non-commercial) uses being located deeper into the Ham Farm land. This briefing addressed the 'consortium's' apparent concern that they were being asked to identify a single (deliverable) site, equivalent in size to the 'area of search' shown on the concept plan.
- 5.5 In the 'consortiums' Mid-Hearing note they suggest that the Hine Brothers land would be primarily required to provide a new junction of the Principal Street with the Shaftesbury Road. However, there is sufficient land to accommodate the commercial facing elements of the local centre in addition to the new signalised T junction. In effect the convenience retail element would have a frontage plot, but other local centre uses could spill out of the Hine Brothers land onto the Welbeck (proper) land at Ham Farm.

- 5.6 The new junction (centred on the Hine Brothers land) could form a suitable urban design node on which to focus the convenience retail and create a place-making opportunity to locate the local centre at the 'heart' of the SSA. In this location the convenience retail would not only have visibility from the Shaftesbury Road, but it would also be immediately accessible to pedestrians using new footways on either side of the Shaftesbury Road. In effect it could be integrated into the new urban form in a way that would not be possible if it were located beyond the garden centre (as per the consortium's proving layout).
- 5.7 The Council proposes an amendment to the indication of the local centre location, to remove the boundary from around the former Shaftesbury Road corridor options, as shown on LP1 Fig. 9.5, and to replace it with a star notation within the Shaftesbury Road corridor to allow even greater flexibility for the provision of local centre uses, as shown in Statement of Common Ground NDDC and Gillingham Strategic Site Allocation Consortium Apx2 Proposals Map. This would also allow incorporation of the Hine Brothers land as a part of the local centre.
- 5.8 Throughout the development of the policy the Council has been working with developers and landowners across the SSA, and in particular with the lead developers who refer to themselves as a 'consortium'. Whilst the lead promoters have been involved in discussions about a collaboration agreement, that agreement has not yet been concluded.
- 5.9 Mr B Hopkins had signalled his intention to pursue an approach to achieve best value on his land in an e-mail dated 02.09.2014. For Kingsmead Business Park the allocation in the adopted 2003 Local Plan is for employment uses. The proposed allocation in LP 1 is for local centre uses, but reverting to an employment allocation if local centre uses are not delivered on the site.
- 5.10 Subsequently, Mr B Hopkins has re-confirmed to the Council the availability of the vacant area of Kingsmead Business Park to be developed with local centre uses, on the basis that a suitable equalisation agreement can be reached with the consortium. This position is also set out in the Hearing Written Statement (Hopkins ID 2920 Issue 8). As the 'consortium' collaboration agreement has not yet concluded, there is still scope for it to include Mr B Hopkins, if the parties can agree terms.

6. Place-making issues

- 6.1 In March 2015 the Council presented the draft MPF to the South West Design Review Panel (SWDRP). Their comments in relation to the local centre are as follows:

"We support the local centre straddling Shaftesbury Road, and it should be partly on the main road, not retiring from it. We stress the 'local': the viability

of the town centre is paramount and the local centre should serve only its southern hinterland. We'd favour a mix of uses, not just retail. This would be a good location for live-work units or other small-scale employment uses – there is likely to be demand for small units as well as the larger ones envisaged in the MPF.”

- 6.2 The SWDRP's comments support the Council's aims in planning for a local centre at the 'heart' of the SSA and within the Shaftesbury Road corridor. It has been shown that options exist within the Shaftesbury Road corridor, notably at the Hine Brothers land location to the south of the local centre allocation LP1 Fig. 9.5, that had not originally been envisaged by the community and the Council when developing a concept and a policy for the local centre. But that some of these options could yet still deliver the place-making elements that are so integral to a local centre functioning as the 'heart' of a community.
- 6.3 Mr B Hopkins, owner of the vacant land at Kingsmead Business Park, has also confirmed that this site within the original local centre allocation shown on LP1 Fig. 9.5, would be available to accommodate the local centre if an equalisation agreement could be reached with the 'consortium'. The lack of conclusion on collaboration between the lead promoters means the optimum design solution could still be achieved as the situation remains fluid and the optimal design solution may still be achievable if the landowners can agree terms. Therefore it would not be helpful to allow a sub-optimal solution to gain traction before the discussions within the SSA have played out fully.
- 6.4 These options within the Shaftesbury Road corridor are available and could yet still deliver the place-making elements that are so integral to a local centre functioning as the 'heart' of a community.

7. Conclusion

- 7.1 Policy 21 is drafted in such a way as to provide flexibility in its approach to the delivery of the local centre by identifying a number of sites within the Shaftesbury Road corridor, all of which are within the proposed SSA boundary, and which are capable of accommodating local centre uses, at the appropriate scale, and in different layouts.
- 7.2 The Council's objective is to encourage the landowners to work together to produce the master plan framework (MPF) as a requirement of Policy 21, and to enter into a collaboration agreement, which would allow development costs and values to be shared, including the non-commercial uses of the local centre. The Council considers this important in ensuring comprehensive master planning of the SSA as a whole.

- 7.3 Throughout the development of the policy the Council has been working with developers and landowners across the SSA, and in particular with the lead developers who refer to themselves as a 'consortium'. Whilst the lead promoters have been involved in discussions about a collaboration agreement, that agreement has not yet been concluded. As the 'consortium' collaboration agreement has not yet concluded, there is still scope for it to include Mr B Hopkins, if the parties can agree terms.
- 7.4 The Council and the SWDRP do not consider the vacant land at Orchard Park Garden Centre to be an optimal location for the local centre. Moreover the various elements of the local centre would not be integrated with the residential development. The location at the rear of the garden centre is divorced from residential element of the SSA and the proposed access of the Principal Street onto the Shaftesbury Road on the Ham side of the residential development. This misses the opportunity for place-making that could integrate the local centre at the 'heart' of the Southern Extension. In addition, Orchard Park Garden Centre is not yet in the control of the 'consortium'.
- 7.5 Should the garden centre site be identified as an option, it ought to be a reserve option, with the initial focus being on creating direct frontage onto the Shaftesbury Road, and greater integration with the residential elements of the SSA with a focus on place-making. However, the optimum design solution could still be achieved as the situation remains fluid and the optimal design solution may still be achievable if the landowners can agree terms. Therefore it would not be helpful to allow a sub-optimal solution to gain traction before the discussions within the SSA have played out fully.
- 7.6 A strong planning framework should be maintained to enable comprehensive delivery of a large site of such proportions as Gillingham Southern extension. The Local Plan Part 1 will lead and set the principles and parameters of good design and place-making which will be refined in more detail through the production of the MPF. The community support the planning framework which they have helped to develop.
- 7.7 The Council understands that options exist within the Shaftesbury Road corridor, notably at the Hine Brothers land (in conjunction with adjacent Welbeck land within the same land control) and at Kingsmead Business Park, which are available for delivery of local centre uses. These options within the Shaftesbury Road corridor could deliver the place-making elements that are so integral to a local centre functioning as the 'heart' of a community.
- 7.8 The Council proposes an amendment to the indication of the local centre location, to remove the boundary from around the former Shaftesbury Road corridor options, as shown on LP1 Fig. 9.5, and to replace it with a star within the

Shaftesbury Road corridor to allow even greater flexibility for the provision of local centre uses, as shown in Statement of Common Ground NDDC and Gillingham Strategic Site Allocation Consortium Apx2 Proposals Map. This would also allow incorporation of the Hine Brothers land as a part of the local centre.