
Report to North Dorset District Council

by David Hogger BA MSc MRTPI MCIHT

an Inspector appointed by the Secretary of State for Communities and Local Government

Date 17th December 2015

PLANNING AND COMPULSORY PURCHASE ACT 2004 (AS AMENDED)
SECTION 20

REPORT ON THE EXAMINATION OF
THE NORTH DORSET LOCAL PLAN PART 1

Document submitted for examination on 5th December 2014

Examination hearings held between 10th March and 19th March 2015

File Ref: PINS/N1215/429/2

Abbreviations Used in this Report

AA	Appropriate Assessment
AH	Affordable Housing
AMR	Annual Monitoring Report
CS	Core Strategy
DPD	Development Plan Document
DtC	Duty to Co-operate
HMA	Housing Market Area
LDS	Local Development Scheme
LP1	North Dorset Local Plan Part 1
LP2	North Dorset Local Plan Part 2 (Allocations)
LSV	Less sustainable villages
MM	Main Modification
MSV	Most sustainable villages
NPPF	National Planning Policy Framework
OAN	Objectively Assessed Need
SA	Sustainability Appraisal
SCI	Statement of Community Involvement
SHLAA	Strategic Housing Land Availability Assessment
SHMA	Strategic Housing Market Assessment
SSA	Strategic Site Allocation (Gillingham)
WMS	Written Ministerial Statement

The Documents referenced in the footnotes can be found in the Examination library

Non-Technical Summary

This report concludes that the North Dorset Local Plan Part 1 provides an appropriate basis for the planning of the District, providing a number of modifications are made to the plan. North Dorset District Council has specifically requested me to recommend any modifications necessary to enable the plan to be adopted.

All of the main modifications were proposed or supported by the Council and I have recommended their inclusion after considering the representations from other parties on the issues raised.

The Main Modifications can be summarised as follows:

- the extension of the plan period from 15 to 20 years (i.e. 2011-2031) and the commitment to an early review of the Local Plan, starting by March 2016;
- the revision of the settlement hierarchy to identify Stalbridge and 18 larger villages as foci for growth outside the four main settlements and to identify settlement boundaries around the larger villages;
- the revision of the spatial distribution of housing to reflect the extended plan period;
- the inclusion in the Plan of a housing trajectory;
- the inclusion of a second homes allowance;
- the reference to greenfield sites being brought forward at Blandford Forum to specify that this relates to sites beyond the by-pass;
- the clarification of the mitigation requirements at Lower Bryanston Farm and Dorchester Hill, Blandford St. Mary;
- the placing of greater emphasis on the role of land at Shaftesbury, within Wiltshire Council area, to help meet the longer term needs of the town;
- a stronger commitment to monitoring the implementation of the southern extension to Gillingham; and
- clarification of the Council's approach to the small scale expansion of employment sites in the countryside.

Introduction

1. This report contains my assessment of the North Dorset Local Plan Part 1 (LP1) in terms of Section 20(5) of the Planning & Compulsory Purchase Act 2004 (as amended). It considers first whether the Plan's preparation has complied with the duty to co-operate, in recognition that there is no scope to remedy any failure in this regard. It then considers whether the Plan is sound and whether it is compliant with the legal requirements. The National Planning Policy Framework (paragraph 182) makes clear that to be sound, a Local Plan should be positively prepared; justified; effective and consistent with national policy.
2. The starting point for the examination is the assumption that the local authority has submitted what it considers to be a sound Plan. The basis for my examination is the Submission document (November 2014) which incorporates the focussed changes that were consulted on in August/September 2014¹.
3. My report deals with the main modifications that are needed to make the Plan sound and legally compliant and they are identified in bold in the report (**MM**). In accordance with section 20(7C) of the 2004 Act the Council requested that I should make any modifications needed to rectify matters that make the Plan unsound/not legally compliant and thus incapable of being adopted. These main modifications are set out in the Appendix.
4. The Main Modifications that are necessary for soundness all relate to matters that were discussed at the Examination hearings. Following these discussions, the Council prepared a schedule of proposed main modifications (and carried out sustainability appraisal) and this schedule has been subject to public consultation for eight weeks. I have taken into account the consultation responses in coming to my conclusions in this report.

Preliminary Matters

Written Ministerial Statements (WMS)

5. In a WMS dated 28th November 2014 it was confirmed (among other things) that affordable housing contributions on sites of 10 units or less should not be sought. The Council modified LP1 to reflect this advice² and the hearings proceeded on the basis of the modified policy. Since the close of the hearings, however, the WMS has been successfully challenged in the High Court³. The consequence of the judgement is that the policies in the WMS must not be treated as a national consideration in development management and development plan procedures and decisions. I asked the Council to comment on this change in the circumstances⁴ and I have also taken into account the responses from the Council and other interested parties to my Note on the matter, dated 21st September 2015⁵. It has been confirmed that the Council has considered the implications of the judgement but wishes to proceed on the

¹ Document reference SUD007

² Documents INS007 and MHD053

³ West Berkshire District Council and Reading Borough Council v Secretary of State for Communities and Local Government

⁴ Document reference INS020

⁵ Document reference INS021

basis of the amended policy until such time as affordable housing thresholds can be considered in the review of the LP which is scheduled to commence early in 2016.

6. I have considered the relevant submissions on this matter and the Council's responses. I am satisfied that the consequences of this change are not of such significance to the soundness of LP1 as a whole that it warrants a further delay to the adoption of LP1, especially as the issue will be addressed shortly in the LP Review, thus enabling a comprehensive re-assessment to be undertaken. In the meantime AH will continue to be provided and I am satisfied that LP1 can proceed to adoption on the basis proposed by the District Council.

Public Consultation

7. Concerns were raised regarding the public consultation undertaken for example with regard to the housing allocations at Blandford⁶ and Shaftesbury. Core Document SUD018 summarises the consultation undertaken and I am satisfied that the requirements of the Council's Statement of Community Involvement⁷ have been met and that the statutory consultation has been undertaken in accordance with the relevant Regulations.

Broad Locations for Housing Growth at Blandford

8. Initially the Council identified land (relatively close to the town centre) to the west of Blandford Forum for housing growth (Crown Meadows). However, English Heritage (now Historic England) considered that this element of the draft Plan was unsound primarily because it was not based on up-to-date and relevant evidence about the historic environment⁸. Consequently the Council produced a Heritage Assessment⁹, a supplement to the SA Report¹⁰ and an addendum to the Habitats Regulations Assessment¹¹. Having reconsidered the evidence, the decision was taken by the Council to delete the location of growth at Crown Meadows and to identify land to the south-east of Blandford St Mary as a 'replacement'. The Council then undertook 'focussed changes' consultation and concluded that its revised approach to growth at Blandford was sound.
9. It is my task to assess whether or not the Council's submitted proposals are sound or can be made sound. I am not required to give detailed consideration to other sites put forward as alternatives unless it can be clearly demonstrated that any of the sites being proposed by the Council for development are not sound. It is on that basis I have undertaken the examination.

⁶ In the interests of brevity when I refer to 'Blandford' in this Report I mean Blandford Forum and Blandford St Mary together.

⁷ Document reference SUD022

⁸ Objection ID 403

⁹ Document reference ECC006a

¹⁰ Document reference SUD008

¹¹ Document reference SUD009

Neighbourhood Plans

10. Concerns have been expressed regarding the relationship between LP1 and Neighbourhood Plans and in particular the risk to achieving consistency between the two types of plan. However, several paragraphs in LP1 are devoted to explaining the role of Neighbourhood Plans and taken together with national policy on the matter¹² I consider the relationship to be clear and there are no substantive reasons to conclude that in North Dorset the two levels of plan-making cannot continue to progress satisfactorily.

Assessment of Duty to Co-operate

11. Section 20(5)(c) of the 2004 Act requires that I consider whether the Council complied with any duty imposed on them by section 33A of the 2004 Act in relation to the Plan's preparation.
12. The Council produced a Duty to Co-operate Statement¹³ (November 2014). This sets out the arrangements for joint working; identifies potential strategic issues; and includes examples of co-operation that has been undertaken. No evidence was submitted to demonstrate that co-operation has not occurred and I am satisfied that the Council has engaged constructively, actively and on an on-going basis and it can be concluded that the duty to co-operate has been met.

Assessment of Soundness

The Plan Period and the Case for an Early Review of LP1 (see also paragraph 32)

13. The plan period for LP1 is 2011-2026 and the Local Development Scheme¹⁴ confirms that the same time period is proposed for LP2 (site allocations). However, adoption of LP2 is not anticipated until June 2017. Although I am not examining LP2 it would be reasonable to expect the local plan, as a whole, to cover a period longer than 9 years, which is well below the preferable time horizon of 15 years as referred to in paragraph 157 of the NPPF.
14. The Council agrees that a longer time horizon should be identified and proposes that the plan period should be extended to 2031. At the same time the Council has confirmed that an early review of LP1 will be required, primarily in order to address issues that arise from the Strategic Housing Market Assessment (SHMA) for local planning authorities in Eastern Dorset, which was being updated at the time of the hearings.
15. In order to ensure that the Council is promoting the most appropriate strategy, which is consistent with national policy, then a commitment to an early review of LP1 (in conjunction with the preparation of LP2) is required.

¹² For example NPPF paragraphs 183 - 185

¹³ Document reference SUD019

¹⁴ Document reference SUD021

To that end the Council has confirmed that it will start the review by the end of March 2016 with anticipated adoption of the revised plan by the end of November 2018. Until that review has been completed it is important that LP1 is based on an appropriate timeframe and 15 years is compatible with national advice. **MM1**, which establishes a plan period for the local plan as a whole of 2011-2031, and **MM2**, which confirms that an early review of LP1 is proposed by the Council, are recommended accordingly. The implications of extending the plan period, in terms of housing and employment provision, are addressed under Issues 3 and 4 below.

Main Issues

16. Taking account of all the representations, written evidence and the discussions that took place at the examination hearings I have identified eight main issues upon which the soundness of the Plan depends.

Issue 1 – Is the Council Proposing the most Appropriate Strategy to Support Thriving Rural Communities and Protect the Countryside?

Settlement Boundaries and Development in the Countryside

17. The submitted LP1 identifies settlement boundaries around only the four main towns. Stalbridge and the other villages would largely be subject to the relatively restrictive countryside policies. Although it is correct that valued landscapes and historic environments should be protected and enhanced, the NPPF confirms that a prosperous rural economy should be supported, the retention and development of local services should be promoted and housing should be located where it would enhance or maintain the vitality of rural communities. Whilst it is clear that there is some support for what the Council describes as 'its light touch approach' in LP1, I consider that the Council has tipped the balance too far towards the protection of the countryside and has placed insufficient weight on supporting sustainable development in rural areas. As such paragraph 17 of the NPPF, which advocates thriving rural communities, and also the advice in the Planning Practice Guidance¹⁵ which confirms that rural housing is essential to ensure the viable use of rural facilities and services, has not been met.
18. Consequently the Council is proposing to return to an option that it considered previously which includes the retention of the settlement boundaries around Stalbridge and 18 of the most sustainable villages (MSVs). In this way appropriate infill development would be allowed and opportunities to maintain the vitality of the communities may not be lost. There is sufficient policy guidance to ensure that the quality of built development would be high and that features of importance to residents (for example public open space) would be protected. I am satisfied that the identification of the 18 MSVs and the less sustainable villages that would not retain a boundary (LSVs) is based on appropriate evidence¹⁶ and the Council's approach as set out in **MM3** is

¹⁵ Paragraph 001 under Rural Housing

¹⁶ Document reference MHD007

sound and therefore recommended. In coming to this conclusion I have attached weight to the fact that, as modified, LP1 will need to provide an appropriate framework for LP2 and Neighbourhood Plans.

19. In the interests of consistency it is necessary to modify policy 20 and the supporting text to reflect the revised settlement hierarchy and to include references to the role of Stalbridge and the eighteen larger villages. **MM18** is therefore recommended.

Rural Housing Need

20. The submission LP1 advises that a minimum of 230 dwellings would be provided in Stalbridge, the villages and the countryside (2011-26) – just over 15 a year. However, this figure appears to be a residual amount and does not sufficiently reflect the need for housing in rural areas. Consequently the Council commissioned further work on the issue (document MHD007) which concluded that there was an annual need of about 41 dwellings a year in the rural area (826 over the 20 year period). Taking into account the current supply, the remaining need would be met by an additional 177 dwellings up to 2031. The Council suggests that this need can best be met either through allocations in LP2 or through the preparation of Neighbourhood Plans and I agree that this is the most pragmatic way forward.

Rural Employment Provision

21. In terms of economic growth the Council's priority lies towards employment provision in the four main towns. In the countryside the emphasis is on enabling local communities to meet their own needs and to that end, over 6.5ha of available employment land is identified in the rural area. Other policies in LP1 support the rural economy (policies 29 to 33) and the preparation of LP2 and Neighbourhood Plans will provide further opportunities for local communities to consider the issue. I am satisfied that the Council's overall approach to the rural economy is sound. More detailed matters are addressed under Issue 3.

Conclusion on Issue 1

22. The Council's revised approach to settlement boundaries and the definition of rural communities, together with the identified potential for some residential and employment growth, will ensure that the framework is in place for such communities to thrive, whilst also ensuring that the countryside is afforded appropriate protection. The Council's strategy is justified and sound.

Issue 2 – Is the Council's Approach to Conserving and Enhancing the Natural Environment, and its Response to Climate Change, Justified?

The Conservation and Enhancement of the Natural Environment

23. The conservation and enhancement of the natural environment is a key national and local objective (objective 2 of LP1), especially as North Dorset has many protected wildlife sites and almost 40% of the District is designated as an Area of Outstanding Natural Beauty. Policy 4 of LP1 provides significant protection for the natural environment of the District and there is no evidence that the Council's approach would put at significant risk any of the

designations, including the internationally important wildlife sites (for example the Dorset Heathlands).

Climate Change

24. Policy 3(d) and subsequent text refer to meeting renewable energy targets and providing detailed energy statements when new buildings are proposed. A number of representors consider these requirements to be too onerous and insufficiently flexible to accommodate any changes to national energy policies. The Council agreed that it would be more appropriate to rely on the advice in the supporting text and to delete the specific requirements from the policy. This is a pragmatic approach which, bearing in mind the content of policy 22 on Renewable and Low Carbon Energy, will still ensure that the Council responds appropriately to the challenge of climate change. **MM4** is recommended accordingly.
25. The Government has signalled its intention not to proceed with the zero carbon Allowable Solutions carbon offsetting scheme¹⁷ but will keep energy efficiency measures under review. There are a number of references in the supporting text to the Zero Carbon policy under Policy 3: Performance of New Development but there is no specific reference in policy 3 itself. In these circumstances and in order not to delay the adoption of LP1 any further, the Council may consider whether or not it would be appropriate to make minor changes to the relevant supporting text (which do not need to come before me for examination) to reflect the current situation.
26. The Council proposes to make reference in the supporting text (paragraph 4.18) to the exemption of small housing sites of 10 dwellings or less from contributing towards off-site energy efficiency measures. This change was originally made in response to the Government's policy on the matter with regard to viability. I have not been given any evidence that would lead me to conclude that small residential developments should contribute to off-site measures and therefore the relevant part of **MM9**, which refers to the aforementioned exemption, is recommended.

Conclusion on Issue 2

27. The policies and supporting text of LP1 demonstrate the Council's commitment to conserving and enhancing the natural environment and to responding appropriately to climate change. The Council's approach is sound.

Issue 3 – Is the Council's Approach to Supporting Sustainable Economic Development Justified?

Employment Land Requirements

28. The Workspace Land Projections Evidence update¹⁸ estimates that about 28.5ha of employment land is required across the District between 2011 and 2031 in order to meet need. With an allowance for flexibility this rises to 30.5ha across the revised plan period. The Council has concluded that there is the potential for about 50ha of employment land to come forward between

¹⁷ Page 46 of 'Fixing the Foundations: Creating a More Prosperous Nation' July 2015

¹⁸ Document reference SED005 (Table 3)

2011 and 2031¹⁹ and no substantive evidence was submitted to demonstrate that the employment land requirement, as identified by the Council, could not be met. I am therefore satisfied that sufficient land is available, across the District as a whole, to meet employment needs. In any event the opportunity will be available to review the evidence through the monitoring process²⁰ and as part of the forthcoming local plan review. I deal with settlement-specific proposals under the individual settlements (see Issue 7).

29. In order to provide clarity the Council is proposing to refer to the 'need' for 3,630 jobs in policy 11 (rather than provision). Further changes are proposed to policy 11 and paragraph 6.27 relating to the permitted change of use from Class B8 (storage and distribution) to residential and the inclusion of any such conversions within the housing land supply figures. These modifications are required in order to ensure that LP1 is consistent with current national policy, and those parts of **MM9** which refer to these matters are therefore recommended.

Employment Sites in the Countryside

30. The submitted plan lacks clarity regarding the Council's approach towards the expansion of employment sites in the countryside. In order to provide that clarity it is proposed to confirm (in policy 30 and the supporting text) that the appropriate small-scale expansion of an existing employment site in the countryside would be supported, thus providing encouragement for the achievement of a prosperous rural economy. This is the most appropriate strategy to follow and therefore **MM24** is recommended.

Conclusion on Issue 3

31. The Council's approach to supporting sustainable economic development is sound.

Issue 4 – Has the Council Properly Identified the District's Housing Needs and will they be met?

Preliminary Matter

32. Since the close of the hearing sessions I have been advised that the Eastern Dorset Strategic Housing Market Assessment 2015 (SHMA)²¹ concludes that the revised objectively assessed need for North Dorset is 330 dwellings a year – as opposed to the 285 figure on which the housing policies of LP1 are based. The Council has considered the implications of this new evidence (which I have not tested and which has not been tested at any other local plan examination) and has concluded that it wishes to proceed with the adoption of the submitted LP1 but will bring forward (and make more specific) the timetable for the Local Plan Review (see paragraph 15 above). Work on the draft of the Review will have commenced by April 2016, with anticipated adoption by the end of November 2018.
33. Among the factors that I have considered are:

¹⁹ Document reference SED004 (Appendix D)

²⁰ See Figure 11.1 of LP1

²¹ Published on 1st December 2015

- The Council's commitment to an early review of the local plan;
 - The level of flexibility already embedded within the policies of LP1 – for example the housing figures are preceded by 'at least' and references are made to potential future areas of growth (for example at Blandford Forum and Shaftesbury);
 - The fact that the Housing Trajectory identifies a significant over-supply of dwellings (when assessed against the annual target) for all years up to 2020;
 - The confirmation in modified paragraph 5.14 that the Council would not seek to restrict the supply of additional housing, provided any proposal would accord with the agreed spatial approach;
 - The high levels of housing delivery achieved in North Dorset in the previous plan period (1994 to 2011);
 - The opportunity provided by Neighbourhood Plans to identify sites for housing;
 - The advice in the Planning Practice Guidance that local plans may be found sound conditional upon a review within 5 years; and
 - The time it would take the Council to compile and consider the necessary new evidence, make appropriate revisions to LP1, undertake consultation and reconvene the hearing sessions.
34. I have weighed in the balance the need for an up-to-date local plan; the practicalities of achieving such a document; and the value to the Council of having adopted policies on a range of other issues. I conclude that, although not ideal, it is best to be pragmatic, to accept that new evidence has emerged at a very late stage of the examination with regard to housing figures (albeit untested) and for the Council to press on with speed to complete the review of LP1. Taken as a whole, I conclude that the benefits of adopting a plan that will be subject to early review, outweigh the disbenefits of relying on the 2012 SHMA. It is on that basis that the following paragraphs should be read.

Housing Needs and the Strategic Housing Market Area

35. The Council initially concluded that the District's objectively assessed housing need (OAN) for the period 2011 to 2026 is 4,200 dwellings (280 dwellings a year). This figure includes a small element to reflect the vacancy rate in the District, which averages at about 3.0%. The numbers are based on the 2012 Strategic Housing Market Assessment Update²² (SHMA), which used the 2008 ONS/DCLG household projections which largely predate the recent recession. The figures were rebased, using Council Tax data, to give an estimate of households in 2011. I was told by the Council that this is an approach endorsed at the recent East Dorset and Christchurch Local Plan Examination.
36. However, following consideration of the role that second homes play in the housing market of North Dorset, the Council has agreed to include a second

²² Document reference MHN005

homes allowance in the housing figures (in addition to an allowance for vacant dwellings), thus increasing the total housing need from 280 to 285 dwellings a year (equating to 5,700 homes from 2011 to 2031). I consider this addition to the housing need figure is necessary in order to more accurately reflect the situation 'on the ground' and to ensure consistency with other nearby Councils (e.g. East Dorset and Christchurch). **MM5** (which embeds these changes in policy 6, the supporting text and Figure 5.1) is therefore recommended.

37. A number of respondents voiced concerns regarding the figures in the 2012 SHMA which I acknowledge. However, the SHMA is one of the first stages in developing a local plan and although important, should not be seen as a proxy for a local plan housing requirement.
38. LP1 is based on a target of 285 dwellings being provided a year. For the next five years, however, the housing trajectory shows that this figure will be well exceeded. Bearing in mind the constraints to development within the District (which includes two AONBs) I am satisfied that, in the short-term at least, LP1 will satisfactorily address need and in any event the policies incorporate sufficient flexibility to enable the Council to take the appropriate approach towards housing provision, pending completion of the local plan review.
39. In terms of identifying the housing market area, the advice followed²³ suggested that a pragmatic approach should be taken, and that groups of local planning authorities could be used 'as an approximation for functional sub-regional housing market areas' (HMAs). In this case North Dorset was included within the Bournemouth/Poole HMA. The Council, acknowledges, however, that the northern part of the District is influenced by the Yeovil HMA and it is also recognised by the Council that there are more constraints in the southern part of the District (for example the AONBs). As a consequence of these factors the emphasis in terms of the distribution of growth is towards the north of the District (for example at Gillingham).
40. I acknowledge that, in these circumstances, there is little likelihood of clear, discrete boundaries being defined for HMAs and consider that, taking all matters into account, the Council has adopted a reasonable approach. Nevertheless a clearer understanding of the influence of both Yeovil and Salisbury on the housing market to the north of the District should be part of the evidence base for the forthcoming LP review and this may best be achieved as part of the duty to co-operate process.

Housing Need, the Housing Requirement, the Buffer and Five Year Supply

41. The objectively assessed housing need figure of 285 dwellings a year (see paragraph 36 above) is based on the 2012 SHMA Update²⁴. No evidence was submitted that would lead me to conclude that the findings of the 2012 SHMA are flawed. The Council has directly translated that need into the housing requirement. Whilst I am aware that past rates of housing delivery have been higher than 285 dwellings a year, there is nothing that would lead me to conclude that the Council should be requiring a higher level of growth than the objectively assessed need, especially bearing in mind the environmental constraints that I refer to in paragraph 23.

²³ DCLG Identifying Sub-Regional Housing Market Areas Advice Note, March 2007

²⁴ Document reference MHN005

42. In terms of the buffer, the Council confirmed that between 1994 and 2011 there was an 'oversupply' of 808 dwellings (14%) and no evidence was submitted that would demonstrate a persistent under delivery of housing. I am therefore satisfied that a 5% buffer is appropriate.
43. With regard to the 5 year supply of housing, it is anticipated by the Council that 2,060 dwellings will be delivered within 5 years²⁵ (412 a year). This figure needs to be compared to the proposed requirement which, using the Council's calculations would be 1,595 dwellings²⁶. I am therefore satisfied that a deliverable 5 year supply of housing (plus 5% buffer) can be demonstrated²⁷. I am also satisfied that sufficient land is identified to deliver housing for years 6 to 10²⁸. In terms of the period between 2026 and 2031 the Council is proposing to increase supply by adjusting the capacity of the broad locations of growth. At south east of Blandford St Mary, additional land has been identified and the capacity would consequently increase by 150 dwellings. On land south of Elm Close, Sturminster Newton, an increase in density could result in an additional 10 dwellings. Also to be taken into account is the Council's revised approach to development in Stalbridge and the 18 larger villages (see paragraph 17 above) which could result in at least 177 additional dwellings. On this basis I am satisfied that the current overall housing need up to 2031 (as identified in the submitted LP1) can be met and no substantive evidence was submitted that would lead me to conclude otherwise.

Affordable Housing Need

44. It is a requirement that all objectively assessed need for housing should be met, including the need for affordable housing. The 2012 SHMA concluded that the Affordable Housing (AH) need across the District was 387 dwellings a year²⁹ but that the need could not realistically be met, primarily because of the reduced profitability of residential development at that time and the consequent reduction in funding for AH. It did suggest that Councils may wish to look at alternative mechanisms to maximise the delivery of AH. The Council has considered a range of related issues such as viability, affordability, the size threshold of sites and constraints to development and has based its approach on the North Dorset Affordable Housing Provision and Developer Contribution Report³⁰. There is no explicit consideration of whether or not overall housing provision should have been increased in order to achieve a higher number of affordable homes but bearing in mind the relatively small size of the District's main towns, the significant environmental constraints and issues of viability, I am satisfied that the Council's overall approach is sound.
45. Policy 8, Affordable Housing (AH), originally included a minimum threshold of three additional dwellings for the provision of AH. In November 2014 national policy changed³¹ to state that AH should not be sought from developments of 10 dwellings or less and which have a maximum combined floorspace of no

²⁵ Document reference IMP006

²⁶ 1,425, plus 94 (shortfall carried over), plus 5%

²⁷ Annual Monitoring Report (2014)

²⁸ Documents MHD003 and MHD008

²⁹ Meeting Housing Needs Background Paper

³⁰ Document reference MHN017

³¹ Written Ministerial Statement (WMS): December 2014

more than 1,000 sqm. As a consequence the Council amended LP1 policy 8 to reflect this national policy³² and it is on this basis that the discussion at the hearings took place. Since the hearings the national policy has been challenged. My conclusions on this matter are summarised in paragraphs 5 and 6 above.

46. At Gillingham (including the Strategic Site Allocation-SSA) and Sturminster Newton policy 8 requires 25% AH; at Shaftesbury and Blandford it is 30%; and elsewhere it is 40%. This is in line with advice in the North Dorset Affordable Housing Provision and Developer Contribution Report³³. Although this approach will not meet all need for affordable housing across the District (which currently stands at about 387 dwellings a year) I am satisfied that it is currently a justified way forward, particularly taking into account issues of viability. There is also no reason to doubt that AH provision will be monitored by the Council so that any changes in circumstances can be considered (including more up-dated evidence) in the forthcoming local plan review.
47. In Areas of Outstanding Natural Beauty the Council will seek financial contributions towards AH on schemes of between 6 and 10 dwellings but the Council has confirmed that the policy will be re-considered as part of the forthcoming local plan review. As summarised in paragraph 6 above I consider this to be a pragmatic way forward.
48. In order to more accurately reflect the Council's revised approach to AH provision (as summarised above), changes are proposed to policy 8 and the supporting text which are justified. **MM8** is therefore recommended.
49. In order to introduce flexibility it is recommended that reliance is not placed solely on the District Valuer to resolve viability disputes relating to AH but that other independent assessors could be used (**MM8**).

Housing Delivery

50. In the previous Local Plan period (1994 to 2011) North Dorset significantly exceeded its housing target and no substantive evidence was submitted that would lead me to conclude that the housing proposed in LP1 will not be delivered. Indeed a number of prospective developers confirmed that there are no significant impediments to delivery. A wide range of views were expressed by participants regarding delivery and the housing trajectory but I am satisfied that the Council's approach is based on current information and I have no reason to doubt that the Council will continue to monitor the situation.

Housing Trajectory

51. The submitted version of LP1 does not include a Housing Trajectory. Therefore, in order that LP1 reflects the most up-to-date situation and reflects national policy³⁴, it is recommended that a Housing Trajectory is included in LP1 (**MM6**). The Trajectory provided by the Council shows the anticipated rate of delivery as at March 2015. The Annual Monitoring Report (AMR) will review and update the trajectory in due course but at the current time it is

³² Document reference INS007

³³ Document reference MHN017

³⁴ NPPF paragraph 47

clear that the delivery of houses will meet or exceed the annual target up to 2023/24.

Spatial Distribution of Housing

52. There are a number of significant constraints to development in North Dorset, including two AONBs, and consequently the Council has placed most emphasis on delivering housing at Gillingham, which is less constrained than other parts of the District and also has a number of benefits in terms of sustainability. The background to the Council's approach is summarised in the Sustainable Development Strategy Background Paper³⁵. Policy 6 establishes 'the approximate scale of housing development' in the main settlements. However, in order to reflect the lengthened plan period and the Council's revised approach to development in Stalbridge, the villages and the countryside, it is necessary to up-date Figure 5.1: Proposed Spatial Distribution of Housing Development. And the housing figures in policy 6 require similar up-dating to the year 2031.
53. The revised figures include proportionate increases in dwelling numbers, except in Shaftesbury. The Council considers that the constraints around Shaftesbury preclude it at this time from further significant growth. I agree that opportunities for sustainable growth around the town are small in number. Nevertheless there is likely to be housing need and therefore I support the Council's proposal to make reference to the potential for development on land within Wiltshire Council area but adjacent to the town (see paragraph 99). It is also proposed by the Council to clarify that the housing figures are the minimum required by the insertion of the words 'at least'. This introduces appropriate clarity and flexibility into the Council's approach and therefore **MM5** is recommended.

Housing Mix

54. It is important that a mix of housing is provided in order to cater for the needs of different groups in the community. In order to reflect the Council's commitment to such provision it is necessary to confirm that, where appropriate evidence exists, specially adapted or supported housing will be required. The role of health care providers in assessing the need for such provision (and the need for other health related proposals) is also acknowledged by the Council in **MM7**, which is recommended accordingly.
55. In order to clarify the Council's position, **MM7** also recommends that the supporting text (in relation to achieving an appropriate mix of housing) refers to bedroom 'numbers' rather than 'size'.

Gypsies and Travellers

56. Provision for gypsies and traveller sites will be made through the 'Dorset-wide Gypsy and Traveller Sites Allocations (including travelling showpeople) Joint Development Plan Document' (DPD), which is scheduled for adoption by the end of 2016. A need for 150 residential pitches has been identified across the county up to 2028 and 10-15 transit pitches. In North Dorset a number of sites with potential capacity have been the subject of public consultation. The

³⁵ Document reference SDS001

evidence that is available, together with the advice in policy 26 (which sets out the criteria against which proposals would be assessed) will assist in the determination of any relevant planning applications until such time as the DPD is adopted. In these circumstances I am satisfied that the Council's approach is sound.

Conclusion on Issue 4

57. The housing needs and requirements of the District, as modified, are properly identified and LP1 satisfactorily sets out how they will be met. Taking into account the three dimensions to sustainable development and bearing in mind the Council's commitment to monitoring and the early review of LP1 (which will be informed by evidence in the 2015 SHMA), I am satisfied the approach taken is sound.

Issue 5 – Is the Council's Approach to Infrastructure Provision Sound?

58. The Infrastructure Delivery Plan³⁶ sets out the types of infrastructure required to support the proposed development and, where known, includes costs, delivery mechanisms and potential timeframes.

Grey Infrastructure

59. In order to reflect current Government policy on Sustainable Urban Drainage Systems the Council proposes to change the number to which the policy would apply from two to ten dwellings. This will ensure that LP1 is consistent with national policy and **MM10** is therefore recommended.

Social Infrastructure

60. The supporting text to policy 13 refers to public art being 'incorporated in new developments' but there is no indication as to the scale of 'new development' to which the requirement would apply. Consequently the Council is proposing to make reference to 'large scale' new developments, which it defines as over 200 dwellings or 1,000 sqm of retail, industrial or commercial floorspace. In this way the policy will be the most appropriate strategy to achieve the delivery of public art. Consequently **MM11** is recommended.
61. It was made clear in the representations and at the hearings that there are concerns regarding the provision of health services in the District. In order to more accurately reflect these concerns and to confirm the Council's commitment to facilitating the provision of new, and the improvement of existing healthcare facilities, it is proposed to provide additional supporting text to policy 14 (**MM12**). Bearing in mind the need to promote healthy communities I consider the proposed modification is necessary to provide a clearer basis from which discussions on the issue can evolve and I recommend it accordingly.

Green Infrastructure

62. Saved Policy 1.9³⁷ of the adopted local plan identifies and seeks to protect Important Open and Wooded Areas (IOWA). The policy will continue to be

³⁶ Document reference SUD020

used for development management purposes although it is confirmed that it is likely to be reviewed as part of the forthcoming local plan review. On that basis it is appropriate to refer to IOWAs in LP1. Until the publication of the review the Council has made it clear that if a thorough assessment of an IOWA is undertaken as part of a planning application, it will be afforded weight in the decision making process. This is a reasonable approach that is justified.

63. In terms of green infrastructure it should be confirmed that viability is a consideration in relation to its provision. The Council also proposes to delete reference to the forthcoming Green Infrastructure Strategy from policy 15 because it has not yet been prepared but also to add a reference to Figure 7.2 in the Plan which lists the key benefits of green infrastructure.
64. In order to clarify the Council's approach to allotments provision, additional text is proposed confirming the size of allotments and the potential to provide half-sized plots. This will ensure effectiveness and, together with the modifications referred to in the two paragraphs above, are therefore recommended (**MM13**).

Conclusion on Issue 5

65. The sections of LP1 relating to infrastructure provision are comprehensive and soundly based. The Infrastructure Delivery Plan satisfactorily demonstrates how the infrastructure will be provided and with appropriate monitoring (as is proposed) it can be concluded that LP1 is sound in this respect.

Issue 6 – Are the Council's Development Management Policies (policies 22 to 33) justified and in particular will High Quality Design be achieved?

Design

66. Policy 24 is the over-riding design policy and it refers, for example, to the provision of space for bin storage and laundry drying. There may be instances where such requirements could not be met (for example in town centre redevelopments) and consequently the Council is proposing to introduce a degree of flexibility into the policy and supporting text by confirming that there may be circumstances where it may not be appropriate to apply all the design principles. I agree that such flexibility is necessary for soundness and therefore recommend **MM20**.
67. Similarly policy 25 refers to the requirement for private open space but again there is no flexibility. It is therefore proposed to confirm (in both the policy and the supporting text) that there may be circumstances, for example in town centre conversions, where private open space provision may not be required. **MM21** is recommended accordingly.
68. In terms of residential parking provision the standards are taken from the Bournemouth, Poole and Dorset Residential Car Parking Study (2011), which is based on detailed survey and data collection work. Non-residential parking standards are taken from Dorset County Council's Non-residential Parking Guidance. Paragraph 39 of the NPPF sets out the matters that should be taken into account in setting local parking standards and the WMS dated

³⁷ Saved policy of the adopted North Dorset District-wide Local Plan (First Revision)

March 2015 confirms that local parking standards should only be imposed where there is clear and compelling justification that they are necessary to manage the local road network.

69. The basis for the standards, which are minimum in nature, is the Dorset Residential Car Parking Study³⁸ and among the issues considered is highway functionality. I am satisfied that the standards are evidence-based and sufficiently well justified. No substantive evidence was submitted that would lead me to conclude that North Dorset District Council should take a different approach to parking provision by deviating from the well-established county-wide standards.
70. Policy 23 refers to meeting the Council's parking standards 'unless a different level of provision can be justified by local or site-specific circumstances'. This approach, however, is not reflected in Appendix C which sets out the standards and guidance for parking provision. There should be consistency between policy 23 and Appendix C and therefore **MM27**, which amends Appendix C to reflect the policy, is recommended.
71. In terms of residential amenity this is covered by policy 25, which refers to, for example, privacy, daylight, noise and emissions. Although no specific or detailed requirements are included within the policy, the supporting text fully explains the Council's approach and makes reference to a number of other sources of guidance. Bearing in mind the potential for change in such standards, I am satisfied that LP1 is sound in this regard.

Equine Related Proposals

72. The Council is generally supportive of equine related proposals. However, in a landscape such as in North Dorset, where vehicular access in the countryside is often restricted, it is important that the cumulative effect of such proposals is taken into account. It is therefore recommended that a new criterion to this effect is added to policy 32 (**MM25**).

Re-Use of Buildings in the Countryside

73. Policy 29 encourages the re-use of buildings in the countryside but does not identify any specific locations where such a proposal would be supported. Bearing in mind the size and diversity of the District (and the purpose of LP1) I consider this to be reasonable. However, in order to explain a potential way forward the Council is proposing to include supporting text which confirms that such proposals may be identified through the preparation of LP2 or through Neighbourhood Plans and I agree that this is necessary. Further clarification of the supporting text is also proposed by the Council to confirm that the re-use of buildings over 500 sqm in size may not be supported if the building has a harmful impact on its surroundings. The enhancement of the natural environment is a key planning principle and consequently I consider that the proposed textual change on this matter, which incorporates sufficient flexibility, is justified. **MM23** is recommended accordingly.

³⁸ Documents INFO14 a, b and c

Community Facilities

74. Policy 27 provides support for the retention of community facilities and although there are references to the viability of the existing use, this is not repeated in the final paragraph which summarises the Council's approach to applications for development. It is important, in the interests of sustainability and the promotion of healthy communities, that the loss of valued facilities and services should be avoided. However, viability is one of the elements that should also be considered and I agree with the Council that this should be more fully reflected in policy 27. **MM22** is therefore recommended.

Conclusion on Issue 6

75. As modified the Development Management policies are justified and are sound. There is no substantive evidence to demonstrate that high quality design will not be achieved.

Issue 7 – Is the Council's Approach to Development in the Four Main Settlements Justified?

The Settlement Boundaries of the four Main Towns

76. The policies for the four main settlements (policies 16 to 19) all refer to development and redevelopment within the 'existing built-up area'. For reasons of precision and clarity and to ensure that the most appropriate strategy is followed, it is proposed to refer instead to development within the 'settlement boundary'. This provides a more appropriate level of certainty and is therefore recommended (**MM14, MM15, MM16, and MM17**).

Blandford Forum and Blandford St Mary

77. Paragraphs 9 and 10 above summarise the Council's approach to development at Blandford. I have carefully considered all the evidence before me, including the SA Supplement³⁹, the Heritage Assessment⁴⁰ and the consultation responses of local residents. As with many issues relating to policy formulation it is a question of balance but I am satisfied that the Council, having taken into account matters such as the protection of heritage, proximity to the town centre, support for biodiversity, and landscape protection, has justified the weight it has attached to the various elements and has drawn justified conclusions. Hence LP1 is promoting the most appropriate strategy for the town when considered against the reasonable alternatives and particularly in relation to the locations for housing growth.
78. Concerns were expressed regarding the effect of development to the west of Blandford St Mary on the value of the surrounding area in terms of nature conservation. I agree that it is essential that such concerns are addressed and consequently the Council is proposing to clarify that no development should commence until an appropriate Mitigation Strategy has been agreed by all the interested parties. Natural England are satisfied with this approach and the evidence indicates that appropriate mitigation measures are available and can be delivered. **MM14** (policy 16) is therefore recommended.

³⁹ Document reference SUD008

⁴⁰ Document reference ECC006a

79. The boundary of the Dorset AONB runs to the south-west of Blandford and significant weight must be given to conserving its landscape and scenic beauty. There is the risk that development to the west of Blandford St. Mary could have an impact on the AONB and/or its setting. However, policy 4 affords robust protection to the AONB and confirms that proposals that would harm the natural beauty of the AONB would not be permitted unless it is clearly in the public interest to do so. There has been no objection to this direction of growth from the AONB Partnership and there is no evidence that would lead me to conclude that the qualities of the AONB at this location are at serious risk.
80. In order to clarify the Council's longer-term strategy for the town, it is proposed to add clarity to the Council's reference in paragraph 8.12 to 'additional greenfield sites' by confirming that such sites are beyond the by-pass. The relevant part of **MM14** is therefore recommended.
81. The NPPF confirms the importance of town centres being at the heart of the community and I was told that there are several opportunities for regeneration in the centre of Blandford Forum. In order to reflect the important role the town centre could play in terms of sustainable development the Council is proposing to expand the reference to regeneration in policy 16. Such a change will ensure that the most appropriate strategy will be followed.
82. In order to respond to the need for additional medical services in the town, the Council is proposing to confirm that if new health facilities are required then land can be allocated in LP2 or through the Neighbourhood Plan.
83. It is proposed that policy 16: Blandford and its supporting text is modified to reflect the changes referred to above and to reflect the extended plan period and I agree that all these changes are required to ensure soundness and are recommended accordingly (**MM14**).
84. Concerns were raised by representors that some of the employment growth sites in Blandford have limited capacity or appeal and that additional sites should be identified, for example to the north of the town. Whilst I understand the concerns that have been raised, the evidence that was submitted was insufficiently compelling to enable me to conclude that the Council's economic aspirations for the town could not be satisfactorily achieved in a sustainable way. One of the alternative sites being promoted, adjacent to the Sunrise Business Park, lies beyond the town's by-pass and within the AONB. This land may be available but there is insufficient evidence, at this time, to satisfactorily demonstrate that the balance should be tipped in favour of identifying more land for employment purposes, as against the protection of the setting of Blandford and in particular the AONB. In any event the Council has confirmed that in the longer-term sites beyond the by-pass will be considered (see paragraph 80 above).
85. With regard to Blandford Forum town centre I am satisfied that the town's retail needs can be met in the short and medium term. The review of the local plan can consider retail needs post 2026. LP1 and in particular policy 16 establishes a robust framework to guide development in the town.

Gillingham Town

86. The main area for residential growth within the town of Gillingham is on land to the south and south-west of Bay. I understand the importance of the open character of this site to local residents but the site (which is within the settlement boundary) is within walking distance of the town centre and other community facilities and I am told there are no impediments to its development. I acknowledge that Bay is identified as an 'area of local character' in the 2003 Local Plan⁴¹ but I agree with the Council that provided the character of Bay is respected then the provision of about 50 well designed dwellings on the land is justified.
87. A number of satisfactory proposals to support economic development in the town are included in LP1. In relation to policy 17 sub-section (m) – Neal's Yard Remedies, Peacemarsh; the Council accept that the wording is insufficiently flexible. It is therefore proposed to include a reference to the potential for the existing business to expand (**MM15**) and I agree that this reflects the most appropriate strategy and recommend it accordingly. **MM15** also confirms that 25% affordable housing will be sought across the town and on the strategic site allocation and as recorded in paragraph 46, such an approach is sound.
88. Overall I am satisfied that the approach to sustainable development in the town, as encapsulated in policy 17, is sound.

Gillingham Strategic Site Allocation (SSA)

89. Concerns were expressed regarding the location of the local centre (as illustrated in LP1 Figure 9.5) particularly with regard to the unavailability of some of the identified land. The Council's objectives for the SSA in terms of, for example, design, setting and function are clear and I agree that, particularly in terms of sustainability, the local centre should be a key reference point in the SSA that should be easily accessible to the residents of the proposed development. However, I recognise that there may currently be uncertainty regarding the availability of land and therefore a more flexible approach towards the precise boundary of the local centre is justified. To that end the Council is proposing to remove the identified boundary of the proposed local centre and replace it with a symbol. This approach aligns more satisfactorily with LP1 paragraph 9.78 which confirms that land in the Shaftesbury Road corridor is the preferred location 'unless a suitable alternative location can be identified and agreed with the Council'.
90. It was suggested that the Orchard Park Garden Centre should be included within the SSA boundary and that it would provide an appropriate location for the local centre. However, this is an edge-of-settlement area of land which it may be difficult to satisfactorily integrate into the remainder of the proposed development. In any event it has not been conclusively demonstrated that the Council's revised approach (as summarised in the paragraph above) is not sound. The Council's 'starting point' is clear and adequately justified and the flexibility now being advocated by the Council will enable all interested parties to work together to achieve a satisfactory conclusion.

⁴¹ Policy GH3

91. In terms of the components of the local centre, concern has been expressed regarding the provision of health-care services. I am satisfied, however, that there is sufficient flexibility within policy 21 to accommodate any unforeseen change in circumstances. A Master Plan Framework will be prepared which will consider the detailed planning and delivery of the SSA and policy 21(a) makes it clear that proposals should reflect the conceptual framework for the site *unless a departure from the concept plan or concept statement can be clearly justified* (my italics).
92. The development of the SSA over a comparatively long time-scale may be influenced by currently unforeseen circumstances. It is therefore important that a robust monitoring framework is in place to ensure that satisfactory delivery can be achieved. The Council therefore proposes to include a summary of the monitoring required and the way forward should the delivery of the SSA not proceed as anticipated. This will help to ensure that the plan remains effective and justified. **MM19** encompasses this and other proposed changes to policy 21, the supporting text and Figure 9.5 (including up-dating the AH requirement to 25% and identifying the proposed local centre on the plan by a symbol) and is recommended accordingly.

Shaftesbury

93. Shaftesbury is an historic hilltop settlement which sits within an attractive landscape setting, much of which is designated as the Cranborne Chase and West Wiltshire Downs AONB. Three areas for growth are identified to the north and east of the town. The identification of land to the east of Shaftesbury (policy 18f) continues a well-established and justified approach and the evidence confirms that development to the south east of Wincombe Business Park (policy 18g) is appropriate and deliverable. The third location for growth is to the west of the A350, opposite Wincombe Business Park (policy 18h). The SHLAA⁴² identifies the potential of this area and suggests that about 150 dwellings could be accommodated in the longer-term. It is worth recording firstly that the SHLAA site is smaller than the site being promoted by Gleeson Strategic Land; and secondly that it is not the purpose of this Examination to consider in detail proposals for specific sites. Rather that my recommendations in this regard are primarily based on the identification of broad locations for growth.
94. The land opposite Wincombe Business Park is currently relatively flat grassland but to the north is the Littledown Industrial Estate which presents a significantly urban appearance. The boundary of the AONB runs across the land⁴³ and I have attached great weight to conserving the landscape and scenic beauty of the AONB and its setting. As LP1 policy 4 confirms, planning permission would be refused for proposals that harm the natural beauty of the AONB unless it is clearly in the public interest to do so.
95. There is significant need for housing in Shaftesbury and the identification of broad locations of land to meet that need is in the public interest. The issue then becomes whether or not the circumstances are sufficient to justify the broad identification of land that could have implications for the AONB. I have

⁴² Site reference 2/45/0550

⁴³ For the avoidance of doubt I have used the boundary provided by the AONB Landscape and Planning Advisor dated 11 March 2015

considered whether the housing need could be met in some other way. In particular I have given careful consideration to the site at Higher Blandford Road (which was promoted at the hearings) which is not within the AONB. In terms of the land west of the A350, opposite Wincombe Business Park, I have considered:

- the fact that it is a broad location for growth and not a specific allocation;
 - the characteristics of the land and its setting;
 - the advice in the Landscape Impact Assessment⁴⁴ that the key sensitivity issue of the skyline impact can be resolved through the careful location of any development; the positioning of the open space and the strengthening of planting throughout the area;
 - the fact that land immediately adjacent to the A350 is not within the AONB;
 - the absence of an objection from the AONB Office; and
 - the Sustainability Appraisal documentation⁴⁵ and the Market Towns Site Selection Background Paper⁴⁶.
96. With regard to land at Higher Blandford Road I consider it to be significantly more prominent in the landscape than the proposed direction of growth to the west of the A350 and also superior in terms of its landscape quality, which is open and rural. It also contributes much more to the setting of the town than does the aforementioned direction of growth and it affords open views towards Melbury Down. In contrast the land to the west of the A350 is of a much lower visual quality and as a consequence its development would provide opportunities to improve the character of this part of the town.
97. I conclude that the Council's broad approach is justified and sound with regard to locations for residential growth in Shaftesbury.
98. The main area for employment growth is to the south of the A30. This site has been granted planning permission in the past and efforts are currently underway to deliver the site⁴⁷. There is no evidence that leads me to conclude that the site will not come forward and therefore consideration of an alternative site at Higher Blandford Road is not required.
99. Bearing in mind the proposed extension to the plan period, it is also important that the longer-term role of Shaftesbury, particularly in terms of housing provision, is acknowledged. One opportunity may lie on land within the area of Wiltshire Council which is adjacent to the allocation to the south east of Wincombe Business Park. The Council proposes to introduce a reference to this potential future direction of growth. In the circumstances I consider it appropriate that LP1 provides an indication of the Council's future aspirations for the locality. **MM16**, which encompasses the above points, is recommended accordingly.

⁴⁴ Document reference ECC020

⁴⁵ Documents SUD003 and COD010

⁴⁶ Document reference MTC001

⁴⁷ NDDC Issue 9

Sturminster Newton

100.No substantive evidence was submitted to demonstrate that any of the housing growth areas in Sturminster Newton were not available, sustainable and deliverable. However, concern was expressed regarding the specific location of the proposed allotments between Elm Close and the Trailway (Policy 19r). In the interests of flexibility and in order to strengthen the viability of the proposed residential development to the east of the former Creamery site (Policy 19h) it is recommended that the specific location of the allotments is deleted, to be replaced by a requirement for allotments which refers more broadly to land to the east of the town at Elm Close Farm. The promoters of the site have confirmed that they are willing to provide allotments on nearby land which is in their ownership. **MM17** reflects the changes referred to above and is recommended accordingly.

101.Evidence submitted confirms that the proposed Employment and infrastructure provision is justified and deliverable and I am satisfied that the proposed development can be satisfactorily assimilated into the town without significant detriment to the character of the environment and the living conditions of residents.

Conclusion on Issue 7

102.The Council's approach to development in the four main settlements is justified and there is no substantive reason to doubt that it is deliverable. The approach is sound.

Issue 8 – Is the Council's Approach to Delivery and Monitoring Sound?

103.In order to ensure the effectiveness of LP1 it must be capable of appropriate monitoring and the Council has confirmed that it will monitor the effectiveness of the plan primarily through the production of the Annual Monitoring Report. In order to strengthen the monitoring framework changes are proposed regarding the timeframe and the need to monitor the five year supply of housing land. **MM26** is therefore recommended in order to ensure that the Council's approach to delivery and monitoring is sound.

Assessment of Legal Compliance

104.My examination of the compliance of the Plan with the legal requirements is summarised in the table below. I conclude that the Plan meets them all.

LEGAL REQUIREMENTS	
Local Development Scheme (LDS)	The North Dorset Local Plan Part 1 is identified within the approved LDS (November 2014) which sets out an expected adoption date of August 2015. Bearing in mind extended consultation and resource constraints, LP1's content and timing are broadly compliant with the LDS.
Statement of Community Involvement (SCI) and	The SCI was adopted in July 2006 and consultation has been compliant with the requirements therein,

relevant regulations	including the consultation on the post-submission proposed 'main modification' changes (MM)
Sustainability Appraisal (SA)	SA has been carried out and is adequate.
Appropriate Assessment (AA)	The Habitats Regulations Assessment (November 2013) and Addendum (July 2014) include an Appropriate Assessment. It is concluded that subject to the implementation of mitigation measures, LP1 would not have or contribute to an adverse effect on site integrity. AA has been carried out and at this stage is adequate. There is no objection from Natural England.
National Policy	LP1 complies with national policy except where indicated and modifications are recommended.
2004 Act (as amended) and 2012 Regulations.	LP1 complies with the Act and the Regulations.

Overall Conclusion and Recommendation

105. The Plan has a number of deficiencies in relation to soundness for the reasons set out above which mean that I recommend non-adoption of it as submitted, in accordance with Section 20(7A) of the 2004 Act. These deficiencies have been explored in the main issues set out above.

106. The Council has requested that I recommend main modifications to make the Plan sound and capable of adoption. I conclude that with the recommended main modifications set out in the Appendix the North Dorset Local Plan Part 1 satisfies the requirements of Section 20(5) of the 2004 Act and meets the criteria for soundness in the National Planning Policy Framework.

David Hogger

Inspector

This report is accompanied by the Appendix containing the Main Modifications