

Blandford + Neighbourhood Plan -
Public Hearing at North Dorset District Council Offices
Monday 10th of April 2017

Present:

Deborah McCann, Examiner (DM)
Malcolm Albery, Blandford + Neighbourhood Plan Group (MA)
Sara Loch, Blandford + Neighbourhood Plan Group (SL)
Neil Homer, Blandford + Neighbourhood Plan Group (NH)
Cliff Lane, Savills (CL)
Stuart Williamson, Bryanston RFE Ltd (SW)
Richard Dodson, Dorset County Council (RD)
Richard Burden, Cranborne Chase & West Wiltshire Downs AONB Partnership (RB)
Jo Witherden, Pimperne Parish Council (JW)
Ed Gerry, North Dorset District Council (EG)

DM introduced herself and explained the reason for holding a Hearing. Furthermore, she explained the procedure for the Hearing.

Those participating at the Hearing were asked to introduce themselves.

Topic 1: Policy 1 Land North & East of Blandford Forum

Context of Policy 1 within North Dorset LPP1 adopted 15th of January 2016, particularly Policy 16. Does Policy 1 compliment and update Policy 16 and respond to new market evidence?

Context of Policy 1 within the NPPF.

EG explained that the current housing requirement, as set out in the North Dorset Local Plan Part 1 (LPP1), is 285 dwellings per annum. Furthermore, he outlined that the Eastern Dorset 2015 Strategic Housing Market Assessment (SHMA) has now been published and it details that the housing need in North Dorset is 330 dwellings per annum.

DM queried how the higher need figure would be met. EG outlined that the Council was progressing work on its Local Plan Review and it currently aimed to publish an issues and options consultation document by the end of the year. The review process would consider whether the higher need figure could be met taking into account the environmental constraints that exist across the District. EG explained that as part of the review process a 'Call for Sites' consultation had been undertaken.

With regards to the strategic policies in the LPP1 EG detailed that there are four main towns within the District and Blandford was one of those. Policy 16 in the LPP1 sets out the strategy regarding how housing needs will be met at Blandford.

In respect of the Local Plan Review EG explained that the Inspector who examined the LPP1 requested that the Council should carry out an early review of the Local Plan, which should be all encompassing in terms of its content (i.e. it should consider matters of strategy and detail).

CL stated that the neighbourhood plan follows on from the LPP1. CL also outlined that the Inspector who examined LPP1 only found it sound on the basis of a number of modifications and the modifications, set out in the tracked changes version of the plan, tell a story about how the Inspector was dissatisfied with the plan.

Further to the above, CL outlined that the spatial strategy in the LPP1 focused on the four main towns. CL stated that the consideration of strategic policies should not just focus on Policy 16 but should look at the plan as a whole including Policy 2 which sets out the spatial strategy for future development in the District.

DM clarified the purpose of the Hearing session was to assist her in reaching a view regarding whether the submitted plan met the basic conditions. She reiterated it was not akin to a Local Plan Hearing and she was not testing the soundness of the plan.

EG stated that he could respond to CL and challenge a number of the points that he made but given what DM had just said he said that he suspected she did not want him to do that. DM confirmed that was the case.

JW provided information regarding planning permissions consented and completions at Blandford since the start of the plan period for the LPP1.

EG made the point that the SHMA has not been tested at any Local Plan examination and it was released prior to the decision on Brexit. Therefore, he suggested that there could be a doubt surrounding the accuracy of the migration forecasts used in the SHMA.

CL stated that housing land supply is a complex issue. He also outlined that the Dorset Councils Partnership is concerned about increasing the supply of housing and each Council within the partnership has an accelerating home building programme.

EG confirmed that North Dorset District Council has a five year housing land supply.

DM asked the neighbourhood plan group how Policy 1 would address the issues that it has identified.

SL explained that the provision of infrastructure is a significant problem in Blandford rather than the provision of housing and that the proposals in the neighbourhood plan complement what North Dorset District Council proposes by putting forward another possible site. SL detailed that there is a deficit of infrastructure in Blandford including a primary school, doctors' surgery, shops etc.

SL also stated that the strategy of the District Council for the last 20 years has been to grow the town to the south. It was suggested that this has created problems and that there has been too much development to the south of the town.

NH explained the history relating to the proposals in the neighbourhood plan and the relationship to the examination of the LPP1. Furthermore, he referred to the modifications that were made to the LPP1 in respect of the supporting text relating to Policy 16 of the plan which is concerned with Blandford.

EG questioned the weight that was being given to the main modifications to the LPP1. He suggested that he did not interpret the modifications in the same way that Blandford + did and that the modifications are difficult to follow. EG reiterated his view that what was proposed was contrary to the policies in LPP1 and in particular Policy 16 which outlines the spatial strategy for Blandford up to 2031.

NH repeated his point that what was proposed in Policy 1 of the neighbourhood plan was complementary to the spatial strategy in LPP1 and it was not an alternative strategy.

DM made the point that national guidance allows neighbourhood plans to identify sites in excess of what is set out in a Local Plan and she questioned why Policy 1 couldn't be included in the neighbourhood plan.

EG stated that there is nothing set out in national policy or guidance stating what should be considered strategic growth and therefore a judgement has to be made. He went on to make the point that Policy 1 relates to a very large area of land and given the amount of land involved and the amount of development that it would allow for what is proposed by Policy 1 would equate to strategic growth.

DM queried that if the proposals in Policy 1 are in addition to the growth areas set out in LPP1 why are they in conflict with LPP1.

EG detailed that Policy 16 in LPP1 clearly identifies those areas of land identified for proposed development up to 2031 and those areas of land that should be subject to countryside policies and thus should be protected from development.

DM questioned EG further regarding whether it was the specific location of the development that meant it did not meet the basic conditions tests or whether the Council was concerned about the impact of development proposed by Policy 1.

EG explained that there were two separate issues. Firstly, the neighbourhood plan did not meet the basic conditions as Policy 1 was out of conformity with the strategic policies of the LPP1 in terms of the location of the proposed development. Secondly, there were issues in terms of the impact of any potential development e.g. landscape impact etc.

SW set out that Policy 1 is an alternative option to the spatial strategy outlined in the LPP1. It is not complementary. Local Plan Part 2 due to identify the strategy on allocating further sites. The neighbourhood plan is pre-empting this process.

CL stated that the LPP1 allows the Local Plan Part 2 or neighbourhood plans to bring forward specific allocations. Furthermore, he detailed that the housing figures in the LPP1 are not a cap but 'at least' figures and the use of the words 'at least' was a requirement of the Inspector who examined the plan.

In addition to the above CL stated that the housing requirement figures in the LPP1 are out of date and developers are lining up to challenge the Council on its housing land supply.

NH detailed the need for infrastructure at Blandford, including a school, and the problems with implementing Policy 14 in the LPP1. Furthermore, he repeated the point that what was proposed in the neighbourhood plan complimented the policies in the LPP1 and did not prejudice those policies.

RD confirmed that DCC was looking for a site for a school at Blandford and that discussions had taken place with Savills and the Blandford + Neighbourhood Plan Group regarding the location of the school.

Alternatives

DM raised concerns regarding the Sustainability Appraisal and the fact that the only options that were looked at in the Sustainability Appraisal were essentially further growth related to Policy 16 in the LPP1 and growth related to Policy 1 in the neighbourhood plan. Furthermore, DM made the point that the cumulative impacts of growth relating to Policy 16 in LPP1 and Policy 1 in the neighbourhood plan had not been considered.

NH explained the rationale for the approach taken in the SA. DM stated that she was struggling with the explanation provided.

EG expressed his concerns regarding the Sustainability Appraisal. In addition to the matter regarding cumulative impacts relating to Policy 16 and Policy 1 he said that alternative sites should have been considered and the neighbourhood plan was narrowly focused in its consideration of alternatives. He cited that the Henfield Neighbourhood Plan in Sussex was quashed on the basis that it did not properly consider alternative sites.

JW expressed her dissatisfaction about the superficial nature of the Sustainability Appraisal and its failure to consider alternative options.

RB highlighted the need to look at alternative locations over a wider area.

NH suggested that if DM deemed it necessary there should be a pause in proceedings to allow further work to be undertaken in relation to the Sustainability Appraisal. DM confirmed that it was likely that she would require further work to be undertaken.

Area of Policy 1 designation, is Policy 1 reliant for delivery on land outside the NP area. (Framework Masterplan)

Discussion took place regarding the masterplan, including phase 1 and phase 2 of development, Policy 1 and the relationship with land within Pimperne Parish.

JW stated that the references to phase 2 in the neighbourhood plan pre-empts matters.

EG set out that the proposals within the neighbourhood plan will impact on the residents of Pimperne Parish particularly given phase 2 of the masterplan is in Pimperne Parish. He stated that residents of Pimperne should have an opportunity to vote in any potential referendum.

RB detailed that the acceptability of the scheme in terms of environmental impacts is dependent on proposals within the masterplan which relate to land that falls within Pimperne.

DM made the point that much of the supporting evidence in relation to Policy 1 had been produced/commissioned by Savills on behalf of the landowners. NH stated that in his experience of neighbourhood plans this was very common.

DM expressed reservations and outlined that the fact the masterplan includes land in Pimperne provides a lack of clarity.

CL stated that the neighbourhood plan was not for the landowners. It was a comprehensive package solely focused on Blandford. It was accepted that Pimperne was not part of the neighbourhood plan area.

DM queried that if the neighbourhood plan was not about housing supply what viability work had been done to assess the level of development needed to provide for the infrastructure required. NH detailed that no viability work had been done on this matter and viability was not an issue. The issue was that the neighbourhood plan allows the release of land to provide the infrastructure needed. The land would not be released without the housing.

DM suggested that if the deficit in infrastructure had been quantified then some viability work must have been undertaken. NH stated that viability work had not been necessary and the landowner interest is to benefit from the policy. NH also outlined that the landowners have made it clear that the number of dwellings that result from the release of land for infrastructure needs is immaterial.

EG suggested that the figure of 400 dwellings in the supporting text to the policy seems a conservative figure given the total area of land that is allocated for residential use. NH explained that the estimated figure for the number of dwellings took into account the sensitivity of the site and the fact that significant landscape mitigation would be required.

In terms of the provision of a school RD confirmed that there had been discussions with Savills over a long period of time and there was a need for a school and it was proposed in the right place. RD confirmed that the school was needed now.

EG commented that the school does not need to be in the neighbourhood plan to proceed and could be granted planning permission as an exception to policy.

Discussion took place regarding the Landscape & Visual Appraisal in support of Policy 1. RB questioned the qualifications of the author who had written the appraisal.

DM asked how the impacts that will result from the proposals have been assessed. CL referred to the supporting documents that have been produced and stated that all relevant matters had been taken into account.

BREAK

Evidence base supporting Policy 1 area particularly in relation to the AONB

Landscape mitigation and agricultural land classification

Response to Historic England's comment that there is a lack of evidence in the heritage statement to show how heritage assets have been identified and their significance assessed?

DM questioned how agricultural land classification matters had been taken into account in terms of identifying land for development in Policy 1. NH stated that the matter of agricultural land classification was not considered.

DM referred to heritage matters and the fact that Historic England suggested that insufficient evidence had been put forward to show how heritage assets had been identified and their significance assessed.

SL commented that the neighbourhood plan group had relied on Savills. CL outlined that a Heritage Assessment had been submitted and was part of the evidence base. Further discussion took place regarding the Heritage Assessment. It was concluded that Historic England's comments on the submitted version of the neighbourhood plan did not take into account the Heritage SEA Statement produced by Savills.

National Planning Policy Framework Paragraph 116 – exceptional circumstances Landscape mitigation and agricultural land classification

DM led a conversation regarding paragraph 116 of the NPPF and the issue of 'exceptional circumstances'. DM outlined her view that paragraph 116, and the assessment requirements associated with it, were primarily concerned with assessing planning applications.

DM went on to refer to paragraph 115 of the NPPF and in particular its wording that 'Great weight should be given to conserving landscape and scenic beauty in Areas of Outstanding Natural Beauty.' CL provided details regarding the proposals including the type of development proposed. Dialogue then took place between DM and CL in respect of the impact that the proposals would have on the Cranborne Chase and West Wiltshire Downs AONB (AONB). During the discussion DM confirmed that she had the information that CL was referring to and that the focus of her questioning was on what impact the proposals would have on the AONB.

NH confirmed that there would be a landscape impact resulting from the proposals but he suggested it would be limited. CL made the point that there is a need to balance landscape impacts against the benefits that the proposal would bring.

RB raised numerous fears regarding the negative landscape impacts that would result from the proposals relating to Policy 1 in the neighbourhood plan. He also raised concerns relating to the Landscape & Visual Appraisal carried out in support of Policy 1. RB stated that it was largely descriptive and it didn't consider how to compensate for the impacts that would result from the proposals.

There was a conversation regarding the A350 and how it is a barrier in landscape terms. Additionally, there was dialogue regarding why part of the area covered by Policy 1 is in the AONB and part of it is not and how sensitive, in landscape terms, the proposed sites are to development.

EG stated that he concurred with the comments made by RB. He also referred to the landscape appraisal work of the site that was undertaken in support of the LPP1 and the Inspector's Report relating to the LPP1.

Does Policy 1 promote sustainable development?

Discourse occurred regarding the sustainability of the proposals contained in Policy 1 including in terms of highways/transport, noise and air quality etc. NH acknowledged that the proposals would have an effect but commented that there were ways of mitigating the effects. CL detailed that there were ongoing discussions with DCC, as the highways authority, in respect of highways matters.

DM queried how the proposals would integrate visually with the existing settlement. NH set out that good designers would ensure that the proposals integrated with the existing settlement.

NW was highly critical of the proposals in terms of their sustainability and in particular their accessibility to the town centre. He outlined, amongst other things, that the residents of any future development would be largely reliant on private transport to access the town centre and this would result in an increase in the volume of traffic in the town centre. He stated that there were alternative sites that were in better proximity to the town centre.

Waste Transfer Site

There was a discussion regarding the fact that the supporting text in the plan makes reference to a waste transfer site. RD explained that DCC was progressing a Waste Plan which was considering a site for a waste facility at Blandford.

DM outlined that the neighbourhood plan would not prejudice work that is being undertaken by DCC and that her concern was to make sure that the neighbourhood plan would not be prejudiced. NH and CL sought to assure DM that the references to the waste facility in the supporting text did not compromise the neighbourhood plan given

that waste matters are considered to be 'excluded development' in the relevant legislation.

RB commented that the AONB Partnership objected in principle to the provision of a waste facility in the AONB.

Topic 2: Referendum Area

Impact of Policy 1 on Pimperne Parish

Delivery of Policy 1 and relation to land within Pimperne Parish

JW explained that the residents of Pimperne felt that they would be impacted upon by the inclusion of Policy 1 in the neighbourhood plan. The phase 1 proposals will set a precedent for phase 2 in the masterplan which is on land that falls within Pimperne Parish. Furthermore, JW detailed that Pimperne Parish Council had concerns regarding the impact of the proposals on the gap that exists between Blandford and Pimperne and the impact that the proposals would have on the highways network. Additionally, children from Blandford attend Pimperne School at present. The proposals, including the new primary school, could impact on this situation.

In addition to the above JW made the point that extending the referendum area to include the residents of Pimperne is unlikely to have a significant impact on the referendum result given the small population of Pimperne relative to Blandford.

SL set out that she understood the concerns being raised and that Policy 1 would have an impact on the part of the Pimperne Parish which is located directly adjacent to the area of land covered by Policy 1. She explained that the neighbourhood plan group wanted Pimperne to form part of the neighbourhood plan area but Members of the Parish Council decided that they didn't want to be involved.

Topic 3: Local Green Space

Crown Meadows confirm the size and discuss merit for designation.

There was a discussion about the size of the site. It was confirmed that the size of the site was 6.4 hectares. SL and NH explained the rationale for the local green space designation. NH referred to a neighbourhood plan in Sussex and suggested that a local green space in that plan lends support to the proposed local green space designation at Crown Meadows.

DM queried whether there was public access to Crown Meadows. SL stated that there wasn't and there never had been.

SW outlined that the land at Crown Meadows was considered through the LPP1 and that it was considered to be a sustainable site close to the town centre; only being deleted from the plan at a late stage in the process due to heritage concerns. SW queried the arbitrary nature of the designation and suggested that the area that has been identified as a local green space is not the area that is most highly valued by the local community.

DM questioned SW regarding whether his client objected to the local green space in its entirety. He confirmed that his client did object to the designation in its entirety and he did not want to see any of the land at Crown Meadows designated as local green space.

DM raised the point that you can weaken the case for designating an area as local green space when you try to cover too large an area and she questioned whether all the areas identified are as special as the neighbourhood plan group say they are.

SL emphasised the point that the local green space in respect of Crown Meadows has been reduced in size and that the whole area needs to be protected as it contributes to the setting of the town.

SW stated that the boundary of the local green space proposed mirrors the area proposed for development in the LPP1.

A further brief discussion occurred, including in relation to the status of the AONB Management Plan, prior to DM concluding the Hearing.

END