



Gladman Developments Ltd

North Dorset Local Plan Part 1 Examination

Issue 1 – The Duty to Co-operate, Legal Requirements and the Council’s Broad Strategy

1.1. Has co-operation between North Dorset District Council and other nearby local planning authorities been a continuous process of engagement from initial thinking? What evidence is there of effective co-operation (NPPF paragraph 181) and of joint working on areas of common interest being diligently undertaken for the mutual benefit of neighbouring authorities (NPPF paragraph 178)? Is there a long-term commitment to co-operation?

1.1.1 The Duty to Cooperate is a legal requirement established through Section 33(A) of the Planning and Compulsory Purchase Act 2004, as amended by Section 110 of the Localism. It requires local authorities to engage constructively, actively and on an ongoing basis with neighbouring authorities on cross-boundary strategic issues throughout the process of Plan preparation.

1.1.2 Whilst Gladman recognise that the Duty to Cooperate is a process of ongoing engagement and collaboration, as set out in the Duty to Cooperate PPG (ID: 9-011-20140306) it is clear that it is intended to produce effective policies on cross-boundary strategic matters.

1.1.3 The Council must be able to demonstrate that it has engaged and worked with its neighbouring authorities to satisfactorily address cross boundary strategic issues, including the requirement to address any unmet housing needs.

1.4. Is LP1 based on a sound process of sustainability appraisal and testing of reasonable alternatives, and does it represent the most appropriate strategy in the circumstances? Has the strategic site selection process been objective and based on appropriate criteria? Is there clear evidence demonstrating how and why the preferred strategy was selected?

- 1.4.1 Gladman question whether the Local Plan's strategy takes sufficient account of the Council's Sustainability Appraisal (SA) findings. As part of assessing the Council's 2010 Core Strategy, the authority's sustainability appraisal found that focusing 80% of the district's housing needs on the Council's main towns would not meet the needs of the rural areas, harming the viability of the larger villages to act as hubs and economic activity. It concluded that the most sustainable approach was therefore likely to be a 70:30 split between development in the towns and rural areas. Although the authority's settlement classifications have now been updated, this suggests that the level of development now proposed to be provided in Stalbridge and the countryside villages may be insufficient.
- 1.4.2 The assessment of the authority's 2010 Core Strategy also appraised the potential to accommodate 7,000 dwellings within the district, the Council's then emerging RSS target. It identified that delivering this level of homes was likely to be the most sustainable option as it would enable housing needs to be met and increase the supply of labour to support economic growth. This suggests that there would be no sustainability issues associated with delivering a higher housing requirement than that currently proposed in the Local Plan, and that there are a number of benefits to maintaining the level of housing growth previously experienced in the district, such as supporting economic growth.
- 1.4.3 Whilst the Council's Sustainability Appraisal considers the implications of reducing the authority's housing requirement from 350 to 280 dwellings per annum, which is justified on the basis of demographic trends outlined in its 2011 SHMA, the sustainability appraisal does not consider the implications of this for affordable housing, which is a requirement of the Planning Practice Guidance on Housing and Economic Development Needs Assessments. Past rates of housing delivery and the ability to sustainably accommodate a higher level of housing in the district suggest that the Council's overall housing target could be increased to address affordable housing needs.

Conclusions

- 1.4.4 Gladman question whether the Council's approach to housing in Stalbridge and the countryside villages is appropriate given the findings of the authority's Sustainability Appraisal. The SA further indicates that a higher level of housing could be sustainably accommodated within the district, which could help to support economic growth and better meet affordable housing needs.

1.5 Is the Council's core spatial strategy (policy 2) justified and compatible with the principles referred to in paragraphs 17 and 55 of the NPPF? Will the policies and proposals in LP1 contribute to the sustainable growth of the district?

- 1.5.1 Gladman are generally supportive of the decision to focus growth on the main district settlements of Blandford, Gillingham, Shaftsbury and Sturminster Newton, however this should not be at expense at bringing forward further development in Stalbridge and the authority's villages. In this regard we question whether the Council's proposals for meeting the housing and development needs of these communities can be considered justified or effective.
- 1.5.2 Gladman particularly support the identification of Blandford as one of North Dorset's four main settlements. Acting as the main service centre for the southern part of the district, the town benefits from a good range of services and facilities, employment opportunities and public transport services. In order to meet the district's full, objectively assessed needs and provide an adequate supply of housing over an extended plan period, we submit that the further housing should now be directed to land to the south east of Blandford St Mary, commensurate with a boundary that extends to Ward's Drove.
- 1.5.3 The Local Plan looks to apply restrictive policies to development in Stalbridge and the countryside villages, and to provide a minimum of just 230 dwellings in these settlements over the Plan period. We strongly question whether the Council's strategy and policies will be effective in meeting housing needs in these areas and consistent with national policy (Framework paragraph 55; Rural Housing PPG paragraph 001). The Local Plan should reflect the full dimensions of rural sustainability, and recognise the socio and economic benefits of providing further development in these areas.

Conclusions

- 1.5.4 Whilst supporting the identification of Blandford as an appropriate location for development, Gladman question whether the Council's approach to development in Stalbridge and the countryside villages is justified or effective. The Council's strategy for these settlements is unlikely to meet their housing needs and is not consistent with national policy.

1.6 Restrictive countryside policies will apply to settlements where settlement boundaries are proposed to be removed. Bearing in mind that only 230 dwellings

(as a minimum) are proposed outside the 4 main towns, will housing need (including for affordable housing) and LP1 objectives 4 and 5 (page 23) in these locations be met? What is the justification for only proposing about 230 dwellings (6% of total provision) in smaller settlements? Why has the Council placed little weight on the 2010 SHLAA (MHN007) which identified 19 smaller settlements (page 47) suitable for some market and affordable housing? Are there any significant opportunities for sustainable residential or economic development in these settlements? (see also question 6.1)

1.7 Planning Practice Guidance (PPG) on Rural Housing (paragraph 001) advises that rural housing is essential to ensure viable use of local facilities and that blanket policies restricting housing development in some settlements and preventing other settlements from expanding should be avoided unless their use can be supported by robust evidence. What is the robust evidence for the Council's approach? Is there a risk that the Council's approach, which includes the removal of all settlement boundaries (except for the four main towns), will lead to uncertainty and act as an impediment to sustainable development in these locations?

(Response below to both Questions above)

1.7.1 Gladman question whether the Council's approach to development in Stalbridge and the countryside villages is justified or effective. National policy makes clear that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities (NPPF paragraph 55), and that it is important to recognise the role of housing in supporting the broader sustainability of villages and smaller settlements, ensuring the viability of local facilities (Rural Housing PPG paragraph 001).

1.7.2 The Local Plan proposes a minimum of 230 new homes in Stalbridge and the countryside villages, representing just 6% of the total housing requirements for the district in an area that accommodates 48% of its total resident population. This level of housing fails to take account of the role and ability of individual settlements to accommodate further sustainable development, or the annual need to provide the 88 affordable homes as identified in the Council's SHMA. The Council's unjustified policy of restraint, and mechanisms for allowing development in these settlements, create uncertainty as to whether the development needs of the countryside villages will be met, and inhibit the ability to bring forward development that may otherwise be considered sustainable in these locations.

- 1.7.3 Previous iterations of the Council's Local Plan/Core Strategy sought to provide 'about 1,200 homes' in Stalbridge and 18 larger villages in the district where infilling and small scale expansion was considered appropriate. These formed the focus of the Council's 2007 and 2010 SHLAAs, which was restricted to sites 'in and around the larger, more sustainable settlements in the district', and were assessed 'for a mix of market and affordable housing'. Evidence of accessibility, services, facilities and employment opportunities in Stalbridge and the countryside villages, most recently published in response to the Inspector's Examination Questions to the Council, suggests an ability to accommodate further sustainable development in these settlements.
- 1.7.4 Objectives 4 and 5 of the Local Plan set out the Council's ambition to enable a network of sustainable rural communities and to deliver more housing, and more affordable housing, that better meets the diverse needs of the district. The approach to development in Stalbridge and the countryside villages outlined in Policy 2 strongly questions whether these objectives will be achieved across the Plan area.

Conclusions

- 1.7.5 Gladman question whether the Council's approach to development in Stalbridge and the countryside villages is justified or effective. The level of housing, the Council's unjustified policy of restraint and mechanisms for allowing development in these settlements create uncertainty as to whether the development needs of the countryside villages will be met. The Council's approach is not consistent with the requirements of national policy and cannot be considered to be positively prepared.
- 1.7.6 To meet the needs of Stalbridge and the countryside villages, the Council should be progressing a more permissive approach to sustainable development in these locations, taking account of the needs, role and ability of individual settlements to support further housing. The Local Plan must strike an appropriate balance between rural and urban development.
- 1.9. Local Planning Authorities should boost significantly the supply of housing, including through the promotion of sustainable development in rural areas (NPPF paragraph 55). Does the Council's option of 'opting in' to the Local Plan Part 2, or the reliance on the adoption of Neighbourhood Plans (pages 36 and 37) provide the appropriate framework for ensuring that local needs for housing and employment in rural areas will be met?**

- 1.9.1 Gladman question the effectiveness of the Council's strategy to rely on Neighbourhood Plans or 'opting in' to the authority's Local Plan Part 2 to address local housing needs in Stalbridge and the countryside villages. This approach may only deliver housing where a community decide to progress one of these options, and could be depend on variables that include the level of homes being proposed, whether a settlement boundary is defined and individual policies that permit infill and other forms of residential development.
- 1.9.2 The Council's strategy could lead to an uncoordinated and disproportionate approach to development, with no certainty that settlements will accommodate the level of housing they need and could provide. To ensure the housing needs of the countryside villages are met, we therefore submit that it would be more appropriate for the Local Plan to guide the level of development that would be acceptable in these locations, requiring communities to progress a positive approach to development, taking account of the role, needs and sustainability of individual settlements. It should provide a mechanism and policy framework that allows development to come forward in these locations if Neighbourhood Plans and involvement in the authority's Local Plan Part 2 is not proposed.

Conclusions

- 1.9.3 Gladman question the effectiveness of the Council's strategy to rely on Neighbourhood Plans or 'opting in' to the authority's Local Plan Part 2 to address local housing needs in Stalbridge and the countryside villages. Unless a local community chooses to progress one of these options there is no guarantee that housing will be delivered. The Council's strategy could lead to an uncoordinated and disproportionate approach to development.
- 1.9.4 The Local Plan should provide a greater steer on the level of housing that should be provided and may be appropriate in these areas. It should provide a mechanism and policy framework that allows development to come forward in these locations if a community chooses not to progress a Neighbourhood Plan or be involved in the authority's Local Plan Part 2.
- 1.10. What is the justification for the removal of the settlement boundaries now (with the exception of the four main towns)? What options were considered by the Council? Policy 9 refers to affordable housing schemes 'adjoining the built-up area' of Stalbridge and the villages. How would a decision maker know how to react to such a scheme when the built-up area is not defined? If the Council's approach is not sound (i.e. justified), what is the appropriate way forward?**

1.10.1 Gladman would oppose the use of settlement boundaries if they would only serve to prevent sustainable development from going ahead. However, their removal here would only lead to restrictive countryside policies being applied in their place, creating uncertainty and impeding opportunities for infill and other forms of otherwise sustainable development, contrary to the requirements of national policy. The Local Plan should take a more permissive approach to development in these locations.

1.10.2 In relation to this issue, Gladman refer the Council to paragraphs 21 and 23 of a High Court decision in respect of North Devon District Council¹. This illustrates that policies that place a blanket restriction on development are fundamentally contrary to the Framework in that they fail to allow the proper planning balance exercise advocated by the Framework to be carried out.

Conclusions

1.10.3 The Council's decision to remove settlement boundaries from Stalbridge and the countryside villages would act to impede sustainable development, conflicting with the requirements of national policy, and is not positively prepared.

1.10.4 The Council should be seeking to progress a permissive approach to development in these locations that allows the appropriate planning balance advocated by the Framework to be carried out.

1.11. Is the relationship between LP1 and any future Neighbourhood Plans (as outlined in Chapter 1) sufficiently clear? Do the strategic policies of LP1 provide sufficient and appropriate 'hooks' on which to 'hang' neighbourhood plans?

1.11.1 Whilst the Local Plan discusses the role of Neighbourhood Plans, we question whether it provides an appropriate framework for their development. The Local Plan and Neighbourhood Plans should work alongside each other to positively plan for development.

1.11.2 In allowing communities to introduce prescriptive policy requirements or determine the level of housing to be provided in their areas, there is a risk that Neighbourhood Plans will act as a tool to prevent development from going ahead. Neighbourhood Plan's must be aligned with strategic needs and priorities of the local area, and developed in conformity

¹ Colman v. (1) SoS for Communities and Local Government and (2) North Devon District Council and (3) RWE Npower Renewables Limited [2013] EWHC 1138 (Admin)

with the Local Plan's strategic policies. There is a risk that the Council's approach provides too much freedom for communities to determine what may be appropriate in their areas.

Conclusions

1.11.3 Whilst recognising the role of Neighbourhood Plans, their application in North Dorset may only act as a tool to prevent development from going ahead. Whilst Neighbourhood Plans allow communities to have a greater say over development, the Council's approach may provide too much freedom to determine what development may be appropriate. The Local Plan should provide a clearer framework for Neighbourhood Plan's to follow.

1.12. What is the justification for progressing with a plan that once adopted would only have a lifespan of about 11 years? Paragraphs 2.45 and 2.46 refer to the vision for 15 years time, so why is the plan period not 15 years from submission or likely adoption (as referred to in paragraph 157 of the NPPF)?

1.12.1 The Framework is clear that Local Plans should be drawn up over an appropriate time-scale, preferably a 15-year horizon. Taking this guidance into account, we submit that the Council should be seeking to plan for an additional four years, to ensure the Local Plan has a lifespan of at least 15 years post-adoption, and provide additional housing for this period.

Conclusions

1.12.2 The Council should be planning to provide further housing for least an additional four years, to ensure the Plan covers a 15-year time horizon.

