

NORTH DORSET LOCAL PLAN EXAMINATION

ISSUE 1 : DUTY TO CO-OPERATE, LEGAL REQUIREMENTS AND THE COUNCIL'S BROAD STRATEGY (POLICIES 1 AND 2)

Inspector's Key Issues and Questions in bold text.

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?

No specific comment.

1.2 Have any cross-boundary strategic priorities or issues been identified? If so are they clearly reflected in LP1 (NPPF paragraph 179)?

No specific comment.

1.3 Has LP1 been prepared in accordance with the Council's Statement of Community Involvement?

No specific comment.

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?

In respect of Gillingham, the Initial Sustainability Report dated March 2010 stated that one of the benefits that can be capitalised upon if additional growth at Gillingham is realised is that it is the only town in the district which has direct access to the rail network. As detailed in the Company's representations to the pre-submission Local Plan made in respect of Policy 17, given the unconstrained nature of the town and its good public transport links and its potential to accommodate additional growth, Gillingham was considered likely to be able to experience a high level of growth over the plan period.

However, the Addendum to the Sustainability Appraisal (October 2012) assessed options in Gillingham that were not appraised previously with the Preferred Option. Land to the northeast (Bay and Bowridge Hill area) was subsequently compared to the Preferred Option of land to the south and south east (Ham area). However, no plans exist to show the extent of the area assessed, but from the text it appears that the area assessed extends north and south of Bay Road and includes Windyridge Farm (to the south of Bay Road and nearest to the town) and land between Shreen Water and Bowridge Hill (to the north of Bay). These two areas (north and south of Bay) should

have been clearly defined and assessed separately, but it appears the SA assessment was confined to assessing locations of a similar scale to the proposed southern extension. Rather, all sites should have been assessed in the SA and the conclusions in the SA are flawed as they are predicated solely on a larger site.

The SA Addendum at paragraph 3.29 acknowledges that "*Land to the south of Bay is closer to schools and the town centre, but is poorly located in relation to employment sites*". The site is considered to be well positioned in terms of local facilities with *good* connections to the High Street and the retail and employment opportunities it offers, together with the school and leisure centre located to the south west of the site.

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?

No specific comment.

1.6 Paragraph 1.8 of the Sustainability Appraisal (SUD003a) refers to 'five market towns which act as hubs serving their rural hinterland'. Is Stalbridge the 'fifth' market town? The town is referred to as an individual settlement throughout LP1 (rather than included generically as a village). Is this an indication that it displays different characteristics to other small settlements in the District and as such are the policies being applied to it justified?

No specific comment.

1.7 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)

No specific comment.

1.8 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?

No specific comment.

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?

The Council's option of "opting in" to the Local Part 2 or adopting a Neighbourhood Plan will not ensure that the full objectively assessed need for housing will be delivered, in particular it is considered that this will create uncertainty over the Council's ability to maintain a 5 year housing land supply given the time which may elapse between the adoption of Local Plan Part 1 and the preparation on the Local Plan Part 2 or respective Neighbourhood Plans.

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?

No specific comment.

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?

No specific comment.

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)?

The Plan Period for the new North Dorset Local Plan is from 2011 – 2026. The NPPF states at para 157 that Local Plans should be "...drawn up over an appropriate time scale, preferably a 15 year time horizon, to take account of longer term requirements, and be kept up to date."

By having such a short plan period (11 years if the plan was adopted this year), the plan does not look to the longer term and take account of the longer term requirements, and is therefore not effective. A longer time horizon is necessary to give a more strategic perspective for development proposals and infrastructure requirements, and to allow time for the Council to prepare the Local Plan Part 2 and the respective Neighbourhood Plans which will collectively identify specific sites. The short plan period will also not allow sufficient time for the Council to undertake a review before the plan's time horizon has expired, particularly in light of the two part Local Plan proposed currently by the Council.

In the recent East Devon Local Plan Inspector's Interim Conclusions report, March 2014 (paras 9 & 10), the Inspector made the point that whilst "provision is made for development beyond the plan period... I consider that this approach offers less

certainty and a longer plan period would give developers, landowners and you (the Local Planning Authority) greater confidence in the long term delivery.” This conclusion was reached in the context of the East Devon Local Plan having a life of 12 years post the planned date of Adoption i.e. a longer period than that which is currently proposed through the North Dorset Local Plan.

Furthermore, in the context of East Devon where the Council was also proposing a two part Local Plan, the East Devon Local Plan Inspector highlighted that subsequent Development Plan Documents and Neighbourhood Plans would need to follow (as is proposed currently in the North Dorset Local Plan) “all of which will take time to produce, examine and adopt before they become effective... (therefore) to address my concerns regarding evidence of housing need cover a period beyond 2026 then I would ask that you (the Local Planning Authority) give serious consideration to extending the plan period.”

The Company's representations submitted to the Local Plan pre-submission consultation sought to make this element of the Local Plan ‘sound’ by extending the end date of the Plan to at least 2031 and, on the basis of the Council’s own housing figures, the housing provision should be increased to 5,600 dwellings for the period 2011 – 2031 i.e. at 280 per annum.

1.13 The Planning Practice Guidance (paragraph 012 under Local Plans) confirms that while additional local plans can be produced, for example a separate site allocations document, there should be a clear justification for doing so. What is the clear justification in this case?

It is noted that the Council remain intent to produce more than one document which will comprise the Local Plan i.e. Part 1 which addresses the overall housing provision and strategy and Part 2 which is in effect a Site Allocations Development Plan Document which will be a subsequent document which will allocate specific sites for housing and employment growth in the main towns and will included a review of the land allocations and settlement boundaries.

The Planning Practice Guidance (paragraph 012 under Local Plans) confirms that while additional local plans can be produced, for example a separate site allocations document, there should be a clear justification for doing so. There does not appear to be any justification for this approach.

It is not clear through the Council's approach how the requirements of the NPPF (Para 47) are addressed where it states that local planning authorities should use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing... including identifying key sites which are critical to the delivery of the housing strategy over the plan period.

Coupled with the short plan period proposed (just 11 years if adopted this year) the Company considers that the Council's approach to decoupling the Local Plan strategic policies and site allocations Development Plan Documents risks the prospect that the full objectively assessed need for growth will not be met during the period and the ability of the Council to effectively manage and maintain the requirement for a deliverable five year supply will be significantly compromised.

In order for the Plan to be sound, consideration should be given to including additional allocations within the Local Plan to provide certainty and clarity on the scale, form and quantum of development to meet housing needs in the plan period.

1.14 Although not necessarily a matter of soundness, LP1 is over 400 pages long. Planning Practice Guidance (paragraph 010 under Local Plans) advises that 'local plans should be as focused, concise and accessible as possible'. Are there any opportunities which the Council could take to streamline the document?

The document should be more concise. If there is also a Local Plan Part 2 as proposed by the Council the amount of documentation will become even more voluminous and potentially unwieldy. Part 1 and Part 2 of the Local Plan should be amalgamated into one shorter document.

Shaun Pettitt MRTPI
Strategic Land Manager

Word count excluding bold text – 1,230