

**North Dorset District Council
Local Development Framework**

Summary of Main Issues Raised in Representations

Child Okeford Village Design Statement (VDS)

November 2007

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1.0 Introduction

- 1.1 Under the Planning and Compulsory Purchase Act 2004 a Local Planning Authority shall not adopt a Supplementary Planning Document (SPD) until:
- They have considered any duly made representations in respect of the draft SPD;
 - Have prepared a statement setting out a summary of the main issues raised in these representations; and,
 - How these main issues have been addressed in the SPD, which they intend to adopt.
- 1.2 This document provides a summary of the main issues raised as a result of the responses received during the consultation period. It also shows how the Council has addressed these issues. A full schedule setting out all the comments made, examining the issues raised in more detail and specifically how those issues have been addressed, has also been produced (Appendix 3).
- 1.3 Public consultation took place between 8th June and 20th July 2007. During the consultation period a total of 20 representations were received by the Council.

2.0 Main Issues Raised

- 2.1 As set out here in the summary and in the full schedule of responses (Appendix 3), the responses have been grouped into those relating to the VDS and those relating to the accompanying Sustainability Appraisal, section by section by theme, with the more general statements about the documents listed first.

The VDS – General Statements **Support for the SPD**

- 2.1 Nine responses supported the production of the Child Okeford VDS, generally welcoming the document as a positive way forward in promoting better design. A number of responses specifically praised the quality and level of work that was shown to have been undertaken in the preparation of the VDS.

General Comments

- 2.2 Three stakeholders, E-On Central Networks, the GOSW and the SWRA responded that they acknowledged the SPD with no further comments to make. A single response identified that the need to attract young families was of significance in Child Okeford, and therefore, affordable housing should be a priority. The Council's response indicated however that while this view is noted, the purpose of a Design Statement cannot

create policies which amend or expand on the affordable housing policies as set out in the current adopted Local Plan.

- 2.3 Two respondents gave general objections to the content and objectives of the SPD, with one stating that the document is a reactionary pamphlet, written by people who “think they know”. The second response stated that there was already sufficient measures to enable planning applications to be dealt with sympathetically and fairly. In short, the Officer’s response was that the Council viewed that the SPD provided a practical tool in addressing local communities’ concerns about new development in their village and that the SPD would support the current Local Plan’s objectives on design.
- 2.4 A single respondent welcomed the SPD as a means in which to prevent further development in the village. The Council’s response was that the SPD’s objective was not to stop development, and would in fact be used to promote better design in development that does occur in the village. A respondent recommended that the VDS should be capable of being regularly revised. However, the Council’s view was that this document, having been formally consulted on through a relatively lengthy adoption process, would not be able to be regularly updated, unless monitoring, as with all local planning documents, indicated otherwise.
- 2.5 One respondent recommended that the SPD should require any relevant applicants submitting information to demonstrate how they have accorded with the policies in the VDS. Although this recommendation was welcomed by the Council and the Parish VDS Group, the legal opinion was that the District Council could not require such information to be supplied with any forthcoming planning application in Child Okeford, in the same way that no planning application is *required* to set out how it has (or hasn’t) conformed with either national, regional or local planning policies.
- 2.6 Three respondents raised issues concerning trees and hedgerows and the protection of soft landscaping. One respondent viewed that Tree Preservation Orders (TPOs) provided little protection, while another identified that the removal of vegetation was increasing in Child Okeford. One respondent raised a specific issue about the loss of sight lines along a village road due to recent development and poor maintenance of vegetation. The Council’s response identified that TPOs do afford considerable protection to protected trees, in addition to protection of trees within conservation areas.
- 2.7 Two responses wished additional evidence to be gathered and text to be inserted into the document; however, it was the Council’s view that neither required any changes to the document. The first suggested information on which businesses had ceased trading in the village and which had recently been established should be added. The second

suggested that the Council should encourage/require developments to include solar heating.

- 2.8 A final general response gave examples of planning decisions which had been detrimental to the village. This response was noted by the Council, with no changes to the VDS recommended.

Section 1

- 2.9 One respondent queried how the VDS would be used to inform people undertaking permitted development, suggesting that a 'potted' version of the statement should be made available to residents. The Council responded that planning policy should be read in its entirety; however, suggesting that the layout of the VDS with the policies grouped in one section makes the VDS relatively easy to use.

Section 2

- 2.10 Two respondents recommended changes to the document, the first requesting a change to the introduction to Hambledon Hill and the fact that it is unlikely that rich soil ever washed down the hillside to nourish the land below. The second response recommended that the footpath map should be enlarged and aligned to North. After consultation with the VDS Group changes to the final document were made, in order to incorporate these responses.

Section 3

- 2.11 Four recommended changes were suggested by two respondents to the text in this section. These concerned typographical changes to Map 4 *Views within and from the village*. All of the suggestions were considered by the VDS Group and changes were made to the final text.

Section 4

- 2.12 One respondent raised a specific issue concerning the development in a part of the village, continuing that promoting green banks over urban kerbs, for aesthetic reasons, can lead to negative outcomes as vehicles can considerably erode these banks. Similarly, the respondent also raises concern in the VDS for the support of hedgerows, stating that where these are not well maintained they can encroach on the highways and obscure sight lines. These issues were considered by the Council and the VDS Group, however, the recommendation was that no changes should be made to the text of the VDS.
- 2.13 One respondent queries the Council's accepted definition of 'brownfield' (previously developed) land, stating that a forthcoming private members' Bill in the House of Commons may change the definition to exclude dwellings' gardens. The Council responded that it will follow the current definition as set out in PPS3, until this is replaced by any more up to date definition. If the national definition does change, the Council will take this into account in the determination of planning applications.

- 2.14 One respondent suggested a minor amendment to the stated number of dwellings in a particular part of the village. This recommended change was made to the final text.

Section 5

- 2.15 One respondent commented that older children have legitimate need for more facilities in the village, and that this should be reflected in the VDS. The recent open space audit confirmed that facilities for older children in the village are currently 'poor', however the VDS Group did not seek to change the original text. The Council recommend that the Parish Council seek the advice of the District Council in order to deliver better facilities where agreed.

Section 7

- 2.16 One respondent sought the original text to be amended to make reference to the 'Care and Learning Centre' rather than the 'pre school'; these changes have been made to the final text of the VDS.

Section 8

- 2.17 Three respondents supported part or all of this section of the VDS, which contains the VDS's supplementary policies. Two responses suggested a number of changes to this section. The first respondent suggested that the Landscape and Open Spaces policies (CO1-CO7) may need to make a stronger statement to the effect that development outside of the settlement should only be permitted where such a location is essential, and that CO8 and CO9 need to explain what development will be permitted. In response to these suggestions, the Council decided that no change was required to the VDS, as Policy 1.6 in the Local Plan, which incorporates Structure Plan Settlement Policy I at a local level, will continue to be relevant in all planning applications in Child Okeford and North Dorset as a whole and that the VDS adequately sets out what development will be permitted.
- 2.18 The first respondent also stated that while the VDS does state the needs for affordable housing and community facilities, it does not pass these through to policies. In response, while accepting the recommendations, the Council viewed that the Design Statement could not contain such policies, as these would not be directly related to design issues. Additional text in Section 8 has been added indicating that other Local Plan policies such as Policy 1.6 apply.
- 2.19 The second respondent stated that a recent development, in his opinion, did not represent 'in character development'. It was recommended that no change should be made to the text relating to this development.
- 2.20 One respondent recommended a number of policies which should be incorporated into the VDS, concerning environmental considerations such as the protection of wetlands, watercourses, ponds, etc.

sustainable construction and design and Sustainable Urban Drainage Systems (SuDS). In response, the Council added supplementary text in Section 8 to indicate that Policy 1.37 of the Local Plan serves to protect and promote wetlands, watercourses, ponds, etc. In response to the other two suggestions, the Council viewed that no changes could be made to the document. Firstly, the issue of sustainable construction/water conservation etc. is not covered by the existing Local Plan, therefore, it would not be appropriate (or possible) to include supplementary policies relating to these issues in the VDS. Secondly, the need for adequate drainage is dealt with under Local Plan Policies 1.14 and 1.15, which the Design Statement cannot supplement as they are not directly related to design.

- 2.21 One respondent commented on the VDS's general approach in seeking to promote certain forms of development, namely less bulky dwellings. Policy CO12 seeks to promote dwellings which are of a size appropriate to the plot and the surrounding character. The VDS does identify that overdevelopment in the village is an issue and that more sympathetic development should be promoted. No changes were made to the text of the VDS as a response to this comment.
- 2.22 In response to the VDS protecting public views, one respondent wished to state that the implied criticism in the VDS of past planning decisions which effected views (both public and private) should be attributed to the planning decisions of the District rather than the Parish Council. In response, the Council wishes to stress that the VDS seeks to protect important *public* views only. No change to the text of the VDS was made as a response of this comment.

Section 9

- 2.23 One respondent supported the summary in Section 9, particularly the final sentence of the second paragraph. This was noted with no changes made to the text of the VDS.

Section 10

- 2.24 One respondent commented that there should be more emphasis placed on the importance of roads and road safety, particularly where permission is granted for development which results in an increase in commercial lorry traffic. The respondent referred to the Child Okeford Parish Plan which has a chapter dedicated to traffic and transport. The Council viewed that the concerns over traffic and transport were valid, and that the Local Plan deals with many of these issues in Chapter 5. Additionally, policies CO14 and CO15 of the VDS seek to improve, through better design, parking areas and paths and driveways. As a result of this response, additional text was inserted in Policy CO14 concerning the need to have regard to road and pedestrian safety in all relevant planning applications.

The SA – General Statements

General Comments

- 2.25 One respondent, the County Council, responded that they have previously commented on the North Dorset SA Scoping Report, which sets the framework for Sustainability Appraisal, and welcomes its application to the Child Okeford VDS.

Specific Comments

Policies CO13-CO15

- 2.26 One respondent, the Environment Agency, states that appropriate design of buildings could have 'potential compatibility' rather than 'potential neutrality' with SA Objectives 13, 14 and 15 (Table 4 of SA Report) through sustainable design and construction. The Council however viewed that while it is possible that the objective of the SPD, to promote good design, could have a potentially compatible outcome on the SA Objectives 13 (reduce vulnerability to flooding and adapt to climate change), 14 (reduce consumption of non-renewable energy) and 15 (reduce waste production and the consumption of water and minerals), the VDS cannot require any specific measures to be incorporated into a proposal. Therefore, the Officers' view is that the VDSs' objective will have a neutral effect on these SA Objectives.

Table 5 of SA Report

- 2.27 The Environment Agency recommended that the incorporation of Sustainable Urban Drainage Systems (SUDS), more sustainable methods of construction, the installation of renewable energy sources and the incorporation of water efficiency measures, as suggested, would then require the SA Report Table 5 to be amended. The Council's response is that while the VDS informs the design, setting, massing, materials, etc. of future development, it does not, and cannot, seek to expand policies concerning the promotion of more sustainable methods of construction, energy use, etc. rather it aims to promote good design of future planning application schemes. Given the limited scope of the VDS (to promote good design) it was felt that the text of the VDS could not be broadened to encompass wider environmental issues.

Comments on SA Objectives

- 2.28 The Environment Agency response suggested a number of changes to the objectives as set out in the SA Scoping Report. However, as this Report has been adopted by the Council, after a formal consultation period in which a number of stakeholders, including the Environment Agency, were consulted, no changes can be made to it without a complete review. As such, no changes were made to the VDS or the Sustainability Appraisal of the VDS.

3.0 Request for Conformity

- 3.1 Regulation 17(2)(d) of the Town and Country Planning (Local Development) (England) Regulations 2004 requires Local Authorities to request acknowledgement of general conformity with the relevant Regional Spatial Strategy from the respective Regional Assembly for any SPD they wish to adopt. A letter was sent to the South West Regional Assembly (SWRA) on the 27th July 2007. Although a response was not received, North Dorset District Council fulfilled the requirements of the Regulations by making such a request. In support, a letter acknowledging that the SWRA had received the request was however received from the SWRA on 6^h August 2007.

4.0 Schedule of Responses

- 4.1 The full schedule of responses that the Council has produced sets out all the issues raised through public consultation on the draft Child Okeford Village Design Statement, the SA Report and the Consultation Statement indicates how these issues were addressed in revising the SPD for adoption. This is appended to this report in Appendix 3.