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ADDITIONAL STATEMENT ON THE PURBECK CORE STRATEGY HAVING REGARD TO THE PUBLICATION OF THE NATIONAL PLANNING POLICY FRAMEWORK

**SUBMITTED ON BEHALF OF THE ATTORNEYS TO MRS M MASON,
SUNNYSIDE BARNES, LYTCHETT MATRAVERS**

INTRODUCTION

1. Following the publication of the National Planning Policy Framework (NPPF) on 27 March 2012 the Inspector appointed to adjudicate on the Core Strategy has invited comments from previous participants in the public consultation.
2. Our comments are on behalf of the Attorneys to Mrs M Mason, who has a land ownership interest at Sunnyside Barns in Lytchett Matravers. We wish to comment on the implications of the NPPF in respect of the following Core Strategy Policies and paragraphs on which we have already made submissions: Policies LD, NE and CO and Paragraph 8.2.2 which supports Policy CO. These policies and paragraphs are the parts of the Core Strategy which are considered to be unsound and were the subject of our comments on the proposed changes.
3. Each policy or paragraph is dealt with under the two questions posed in the Inspector's information note of 3 April with the words repeated to improve comprehension. However in addition the following general comment is made in paragraph 4 below to explain why we consider that the thrust of the NPPF does mean that in its present form the Council's Core Strategy is unsound.
4. The underlying message of the NPPF is that the planning system has become not only too complicated but also too much one of control for its own sake rather than a presumption in favour of sustainable development. In the Ministerial Foreword to the NPPF, the Minister for Planning states: *'Development that is sustainable should go ahead without delay – a presumption in favour of sustainable development that is the basis for every plan, and every decision.....In order to fulfil its purpose of helping to achieve sustainable development, planning must not simply be about scrutiny'*. In our view the Core Strategy as currently proposed, including the suggested changes, is too akin to a charter primarily for scrutiny and likely to be insufficiently flexible to accommodate this new approach to planning. There is every indication that the Council will be too cautious in respect of opportunities for development of a limited scale which whilst they might be the 'wrong' side of a defined settlement boundary would nonetheless be inherently sustainable, contribute to the supply of affordable housing and do no actual harm to the scenic and intrinsic value of the countryside. In particular it is the opportunity to provide more affordable housing that should be given significant weight in assessing whether this more pragmatic approach should be adopted towards market housing in suitable locations in the countryside.
5. Turning to the more specific comments under the questions framed by the Inspector, these are set out in following paragraphs. Although we have previously suggested changes to the Core Strategy these earlier comments are now fully incorporated in the paragraphs below in relation to the effect of the NPPF. If any of the suggestions are adopted it is recognised that there may need to be consequential changes to policies on the Green Belt and affordable housing. We anticipate that in any event other participants in the Examination will be suggesting such changes.

POLICY LD (incorporating Proposed Change PC24).

HAS THE PUBLICATION OF THE NPPF RESULTED IN ANY SUBSTANTIVE CHANGES TO THE CONTENT OF THE REPRESENTATIONS AND EVIDENCE WE HAVE ALREADY SUBMITTED? IF SO EXPLAIN WHAT THE CONSEQUENCES OF THIS PUBLICATION ARE IN RELATION TO OUR EXISTING SUBMISSIONS.

6. As drafted the policy precludes development on land classed as ‘countryside’ other than that referred to in the ‘exceptional circumstances as set out in Policy CO: Countryside’. However the NPPF, in particular paragraph 54 – see paragraph 7 below, has added significant weight to our view that more flexibility is needed as regards of boundaries. In particular, the single extension to the settlement boundary of Lytchett Matravers (Land at Huntick Road) will be inadequate under the 40% policy to meet the affordable housing needs of the area and more opportunity should be made of enhancing such provision, both through modest adjustments to the settlement boundary and the consolidation of one or more of the existing outliers of existing development close to this boundary.

HOW SHOULD THE COUNCIL ADDRESS ANY CONSEQUENCES THAT WE HAVE IDENTIFIED IN RELATION TO THE NPPF?

7. Policy LD (in conjunction with Inset Map for Lytchett Matravers on the Proposals Map) should be amended to refer to Land at Huntick Road being the ‘main’ rather than the only settlement extension to Lytchett Matravers and include additional words to reflect paragraph 54 of the NPPF that *‘In rural areasLocal Planning Authorities should in particular consider whether allowing some market housing would facilitate the provision of significant additional affordable housing to meet local needs’*. It is recognised that a forthcoming Neighbourhood Plan will determine the precise boundaries of settlements including Lytchett Matravers, but given the presence of the Green Belt it is considered essential that the Core Strategy gives a steer to the potential for a more flexible approach to boundaries which will make more provision for affordable housing with market housing as the catalyst. Reliance on rural exception sites is unlikely to provide sufficient affordable housing and this is implicit in paragraph 54 of the NPPF.

POLICY NE (incorporating Proposed Change PC107)

HAS THE PUBLICATION OF THE NPPF RESULTED IN ANY SUBSTANTIVE CHANGES TO THE CONTENT OF THE REPRESENTATIONS AND EVIDENCE WE HAVE ALREADY SUBMITTED? IF SO EXPLAIN WHAT THE CONSEQUENCES OF THIS PUBLICATION ARE IN RELATION TO OUR EXISTING SUBMISSIONS.

8. Policy NE confines any extension to the existing settlement boundary of Lytchett Matravers to Land at Huntick Road where 50 new dwellings are proposed. Again, whilst we have no objection to this allocation we suggested in respect of Policy LD that the existing settlement boundary be re-aligned to accommodate small scale housing developments which in turn would generate the provision of affordable housing. The NPPF strongly supports such a change – see paragraph 54 thereof quoted in paragraph 7 above. Our clients’ land is in an equally sustainable position and already contains a nucleus of housing which could take the addition of 4 or 5 units without any harm to the Green Belt or the countryside.

HOW SHOULD THE COUNCIL ADDRESS ANY CONSEQUENCES THAT WE HAVE IDENTIFIED IN RELATION TO THE NPPF?

9. The NPPF strongly reinforces our earlier suggestion in the Proposed Changes consultation that the wording of Policy NE should be amended to refer to the realignment of the settlement boundary not only accommodating land at Huntick Road but also to accommodate small

scale market housing, thereby enabling the provision of affordable housing, on suitable sites. These could be determined as part of the Neighbourhood Plan.

PARAGRAPH 8.2.2 (incorporating Proposed Change PC131)

HAS THE PUBLICATION OF THE NPPF RESULTED IN ANY SUBSTANTIVE CHANGES TO THE CONTENT OF THE REPRESENTATIONS AND EVIDENCE WE HAVE ALREADY SUBMITTED? IF SO EXPLAIN WHAT THE CONSEQUENCES OF THIS PUBLICATION ARE IN RELATION TO OUR EXISTING SUBMISSIONS.

10. Proposed Change PC131 inserted a new paragraph as part of the text supporting countryside Policy CO and cites small-scale development of employment and tourism businesses, affordable housing and gypsy and traveller sites as acceptable proposals in the countryside. However as we have already explained in connection with Policy LD, Paragraph 54 of the NPPF has introduced the necessary degree of pragmatism and flexibility in recognition of the fact that without the provision of some market housing in rural areas to serve as the provider of affordable housing there will be insufficient of the latter to meet local needs.

HOW SHOULD THE COUNCIL ADDRESS ANY CONSEQUENCES THAT WE HAVE IDENTIFIED IN RELATION TO THE NPPF?

11. The Council should recognise the importance of this part of the NPPF by adopting our proposed change to paragraph 8.2.2, namely the insertion of the words '*where necessary with small scale open market housing to facilitate it*' between the words 'affordable housing' and 'gypsy and traveller sites'.

POLICY CO (incorporating Proposed Change PC135)

HAS THE PUBLICATION OF THE NPPF RESULTED IN ANY SUBSTANTIVE CHANGES TO THE CONTENT OF THE REPRESENTATIONS AND EVIDENCE WE HAVE ALREADY SUBMITTED? IF SO EXPLAIN WHAT THE CONSEQUENCES OF THIS PUBLICATION ARE IN RELATION TO OUR EXISTING SUBMISSIONS.

12. Policy CO lists the various types of development that are considered to be acceptable in the countryside (namely outside of a settlement boundary) and includes Proposed Change 135 relating to the re-use of rural buildings. The latter is permissible with the occupation of the converted building as an employment use, tourist accommodation, affordable housing or a community facility. However paragraph 51 of the NPPF refers to empty housing and buildings being brought into residential use and that Local planning authorities should normally approve planning applications for change to residential use from commercial buildings (currently in the B use classes). Our view on the proposed change was again that the conversion of an existing rural building to a market dwelling could be acceptable provided that the impact caveats at the start of the policy are met and in particular where it would facilitate an affordable dwelling. This is now supported by the NPPF.

HOW SHOULD THE COUNCIL ADDRESS ANY CONSEQUENCES THAT WE HAVE IDENTIFIED IN RELATION TO THE NPPF?

13. The Council should adopt our suggestion on the proposed change to include the words '*including an open market dwelling to facilitate an affordable unit*' between the words

‘...local need’ and ‘or community facility uses’ in the first sentence under the heading ‘Re-use of Rural Buildings’.

CONCLUSION

14. The above comments demonstrate that the final version of the NPPF is strongly supportive of the view we expressed at the Proposed Changes stage that the Core Strategy should be made more flexible to accommodate small-scale housing developments in suitable locations. Such developments would deliver affordable housing which will otherwise be under provided, particularly in NE Purbeck and do so without any adverse effects on the Green Belt or the countryside and the rural setting of settlements. Without this increased flexibility the Core Strategy will remain unsound and given that the NPPF will be a significant material consideration in planning appeals the Local Development Framework will be significantly undermined.
15. The Inspector is respectfully requested to make recommendations on the Core Strategy to reflect these views.

April 2012