

## Bridport Area Neighbourhood Plan - Submission Plan Representation Summary

Bridport Town Council submitted the final version of the Bridport Area Neighbourhood Plan (2019) representing the communities of Allington, Bothenhampton & Walditch, Bradpole, Bridport & West Bay and Symondsburry to Dorset Council for independent examination in April 2019. People were given six weeks from Friday 17 May 2019 until the end of Friday 28 June 2019 to comment on the content of the plan or how it was produced. At the close of the public consultation eighteen representations were received.

Rep ID	Respondent	Summary
1	White Young Green on behalf of C G Fry & Sons Ltd	<p><u>General</u></p> <p>The removal of the following policies AM2 parts 3 and 4 and EE2 part b is supported</p> <p>However, overall, it is our view that elements of the Neighbourhood Plan are unsound by virtue of the absence of objective and credible supporting evidence and as such are not properly justified.</p> <p>Furthermore, many elements are not in conformity with the West Dorset, Weymouth &amp; Portland Local Plan 2011 – 2031, adopted in 2015. Others go above and beyond what should be contained in a neighbourhood plan and should in our view be considered through the ongoing review of the adopted Local Plan.</p> <p><u>Policy CC1 – Publicising Carbon Footprint</u></p> <p>The requirement for an energy statement is not a local or national validation requirement and is not in conformity with the adopted Local Plan. Such a requirement should be made on a consistent basis across the District. Limiting its requirement to one part of the District will create confusion for applicants.</p> <p>A blanket requirement for a carbon emissions energy statement for “...all new development proposals...” is unreasonable for example in the case of outline planning applications where this information is unlikely to be available.</p> <p>This policy requirement should more properly be tested through the adopted Local Plan review.</p> <p><u>Policy CC2 – Energy and Carbon Emissions</u></p> <p>The requirements set out at a) and b) are not appropriately evidenced or justified. They are not in conformity with the adopted Local Plan. Seeking an improvement on Building Regulations Part L can only be encouraged; it cannot be required through policy.</p> <p>The supporting text identifies the required improvement as being 19% (as it was in the pre-submission draft) yet the policy conflicts this by requiring 20%.</p>

Policy CC3 – Energy Generation to Offset Predicted Carbon Emissions

The requirement of Policy CC3 for at least 10% of unregulated energy from decentralised or low carbon sources is unevidenced and is therefore unjustified.

The effect of this requirement on development viability and delivery has not been adequately assessed.

Policy CC5 Flood Risk Assessment

Flood Risk Assessments and surface water drainage strategies are already required in specific circumstances to make allowances for climate change. This policy is therefore unnecessary.

Policy AM1 – Promotion of Active Travel Modes

The requirement in a) that pedestrian movement is made a priority is inconsistent with the adopted Local Plan and the NPPF (February 2019), which require that opportunities to promote walking, cycling and public transport use are identified and pursued, with walking and cycling prioritised.

Policy AM4 – Contributions to Maintain and Improve the Footpath and Cyclepath Network

By removing reference to ‘appropriate cases’, contributions will now be sought on all development, seemingly regardless of type or scale, which could be disproportionate. Policy AM4 is therefore unlawful as it does not comply with CIL Regulation 123 that requires that infrastructure contribution requirements be directly related to the site.

Policy AM4 should also specify precisely when contributions would be sought as it is currently unclear.

Policy H2 – Placement of Affordable Housing

Part 1: It is considered that it would be premature to identify the size, type and tenure of affordable housing at the outline application stage, particularly where “layout” is reserved for future consideration. It would be appropriate to expect an applicant to identify the % provision of affordable housing to be delivered, but not the precise number as this information can often only be established through the reserved matters process. It is considered therefore that part 2 should be amended to seek confirmation of the % provision only at outline stage.

Part 3: Clarification is required of the phrase “evenly distributed”. The wording of part 3 should ensure appropriate clarity and flexibility and refer to the affordable units as being “tenure blind” and overall accord with adopted Local Plan Policy HOUS1 v).

Policy H3 - Affordable Housing Exception Sites

The affordable housing mix should more properly be guided by evidence covering the strategic housing market area as defined in the relevant Strategic Housing Market Assessment. However, a developer may have regard to the Bridport Area Housing Needs Assessment.

It is considered that there should be flexibility in the phasing delivery of affordable homes as the current policy does not take

	<p>into account specific site characteristics and external circumstances, such as the specific requirements of registered providers. It is welcomed that a case by case approach will be taken when deciding the percentage of open market units permissible on a rural exceptions site.</p> <p><u>Policy H4 - Housing Mix &amp; Balanced Community</u></p> <p>As noted for Policy H3, the affordable housing mix should more properly be guided by evidence covering the strategic housing market area as defined in the relevant Strategic Housing Market Assessment.</p> <p><u>Policy H6 - Housing Development Requirements</u></p> <p>It will not always be appropriate to provide this information at outline application stage; some of this information will be provided at reserved matters stage and some through the discharge of planning conditions or secured by S106 Agreement.</p> <p>The figure of 50 dwellings in part 2 has neither been evidenced nor justified and part 2 of Policy H6 is therefore unsound.</p> <p>The requirement in part 3 that the location of self-build plots is integral with the overall development has not been justified and is therefore unsound. Site specific circumstances and characteristics (such as the position of access), development phasing, the requirements of the registered provider(s) and the number of self-build plots to be delivered will determine the location, distribution and relationship between self-build and market/affordable housing plots. Whilst a laudable objective, it has not been justified and in any event, it is not appropriate for this to be controlled by policy, unless sufficient flexibility has been built in to reflect the above points.</p> <p>It is not clear in part 4 to whom the developer is required to make transparent relevant management and maintenance costs. This will be done for a potential purchaser as part of a private contract between the developer and the purchaser and it is therefore not appropriate for this information to be made public.</p> <p><u>Policy H7 - Custom-Build &amp; Self-Build Homes</u></p> <p>The requirement for 4% plots on developments of 25 homes or more is unevidenced and unjustified. Any requirement should refer to the relevant need for custom and self-build homes held by Dorset Council.</p> <p>Furthermore, it is considered that any requirement for self or custom build should be assessed through the review of the adopted Local Plan and its corresponding evidence base.</p> <p>It is considered that the phrases “marketed appropriately” and “reasonable price” referred to in part 2 are unclear and should be clarified.</p> <p><u>Policy H9 – Principal Residence Requirement</u></p> <p>The social and community purposes of Policy H9 are noted, although no evidence has been presented to justify the effect second home owners actually have on Bridport and its environs. It could be argued that the negative effects in terms of under-</p>
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	<p>occupancy are balanced against the local economic benefits of tourism (from holiday rentals).</p> <p>It should also be noted that the circumstances of occupiers can change due to external circumstances.</p> <p>It is therefore considered that Policy H9 is unjustified as it stands. If it is ultimately retained, flexibility should be built in to allow for changes in circumstances.</p> <p><u>Policy HT1 Non Designated Heritage Assets</u></p> <p>It is considered that the list of non-designated heritage assets referred to in Policy HT1 Non Designated Heritage Assets should be included in the Neighbourhood Plan either in the Policy or in an appendix. The evidence base should provide a proportionate justification for its inclusion in the list.</p> <p><u>Policy HT2 Public Realm &amp; HT3 Shopfront Design</u></p> <p>It is considered that policies HT2 and HT3 should be re-located to the Design for Living section of the Plan because they are not specifically heritage policies.</p> <p><u>Policy L2 Biodiversity</u></p> <p>Policy L2 repeats NPPF paragraph 175 a) and should be removed.</p> <p><u>Policy D1 – Harmonising with the Site</u></p> <p>Policy D1 is a general design policy and it is considered that it should not be focussed on housing development only.</p> <p><u>Policy D2 – Programme of Consultation</u></p> <p>It is considered that the threshold of 50 dwellings and the requirement for consultation to be over the entire Plan area are not justified and therefore unsound. It is considered that the word “meaningful” should be replaced with “appropriate” and the remainder of the Policy should be deleted.</p> <p><u>Policy D4 – Mix of uses</u></p> <p>It is considered that the threshold of 50 homes has not been justified and is therefore unsound.</p> <p>Furthermore, the requirement for new buildings to contribute to the elements listed (including and especially employment workspace) has not been justified and is therefore unsound. Inclusion of the phrase “where appropriate” would provide sufficient flexibility, allowing a developer to respond to individual site and other circumstances.</p> <p><u>Policy D5 part b) – Efficient use of land</u></p> <p>An assessment of whether housing development (or any other class of development) on brownfield land is or is not acceptable in planning terms will include a range of planning considerations – known as the “planning balance”. Environmental matters are just one element to be weighed by the decision maker. Social and economic considerations (being the other two component</p>
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		<p>parts of sustainable development referred to in the NPPF) also need to be considered.</p> <p>It is therefore considered that part b) has not been justified and is unsound. It is also inconsistent with the relevant sections of the adopted Local Plan and the NPPF. It is considered that part b) should be deleted.</p> <p><u>Policy D10 – Environmental performance</u></p> <p>Policy D10 1. C) is considered to be overly prescriptive and is not evidenced. It should be amended to encourage solar thermal and or photovoltaic installations within new development.</p>
2	Clive Ashley	<p>I support this plan. In particular I support the need for affordable housing and less second homes to address the true neighbourhood needs.</p>
3	Dorset Council – Economic Development	<p><u>Introduction</u></p> <p>Previous recommendation regarding the Minerals and Waste plan has not been incorporated. Being silent on the matter the NHP is incorrectly drafted. The plan should incorporate references to this plan as it forms part of the ‘development plan’.</p> <p>Revised wording supplied.</p>
4	Dorset Council - Planning and Community Services	<p><u>General Point – Chapter and Paragraph Numbering</u></p> <p>For ease of reference it would be helpful if the chapters and paragraphs in the neighbourhood plan were numbered.</p> <p><u>General Point – Plan Period</u></p> <p>It would be helpful if the period of the neighbourhood plan (i.e. the start and end dates) was made clear and shown on the front cover.</p> <p><u>Neighbourhood Characteristics Chapter</u></p> <p>We welcome the new ‘Neighbourhood Characteristics’ chapter, which very helpfully provides the context for the chapters and policies that follow.</p> <p><u>Vision Statements - Bradpole</u></p> <p>The part of the vision for Bradpole (on page 20), which indicates that ‘the settlements within Bradpole civil parish will be places where ... new development will provide homes to meet the expressed needs of their residents’, is considered to be too restrictive. This part of the vision should be re-worded to provide greater flexibility</p> <p><u>Neighbourhood Plan Objectives: Objectives 1 and 2</u></p> <p>Objectives 1 and 2, which are concerned with carbon emissions, should be amended or deleted to provide more of a focus on</p>

the development and use of land. As written, they relate primarily to process or procedural matters rather than planning outcomes. Objective 1 is considered unnecessary and, in the context of the current planning system, Objective 2 is unachievable. Wording of a revised single objective is supplied.

#### Neighbourhood Plan Objectives - Objective 15

Objective 15 is 'to safeguard and revitalise use of the bus station as a transport hub'. This objective is consistent with the supporting text to Policy BRID4 of the local plan, which identifies sites for town centre expansion.

#### Policy CC1 - Publicising Carbon Footprint

Policy CC1 indicates that 'a statement should accompany every planning application as to the anticipated carbon emissions of the proposed development'. As written, Policy CC1 is not a test against which the acceptability of a development proposal could be tested; rather it appears to be an attempt to introduce a mandatory validation requirement for the submission of all planning applications in the Bridport area, which is not appropriate.

In order to apply Policies CC2 and CC3, which seek energy efficiency improvements both in relation to the construction of development and during its lifetime, it is likely to be necessary for developers to submit some supporting information. Rather than seeking to set out such requirements in Policy CC1, it would be more appropriate to delete this policy and to provide examples of the type of information that may be needed in the supporting text to Policies CC2 and CC3. The supporting text could explain that the information required is likely to depend on the circumstances.

#### Policies CC2 and CC3 Relating to Carbon Emissions

The third paragraph in the second column on Page 27 of the neighbourhood plan makes reference to paragraph 6-012-20190315 of the National Planning Practice Guidance, which is used as justification for policies CC2 and CC3 in the neighbourhood plan. This paragraph sets out the provisions of the Planning and Energy Act 2008. The act only applies to local planning authorities and to policies in development plan documents.

It is not entirely clear, but it appears that the provisions of the Act do not relate to neighbourhood plans (which are not development plan documents). If this is the case, then it may not be appropriate to include policies CC2 and CC3 in the neighbourhood plan and they should be deleted. In the event that a contrary view is taken and it is considered appropriate to retain these policies, then the more detailed points set out below would apply.

#### Policy CC2 - Energy Efficiency of New Development

The wording of Policy CC2 and its supporting text need to be amended to provide clarity on whether the policy should apply to just new buildings, or to all new development, including schemes for re-use or conversion.

In relation to residential development, Policy CC2 a) seeks 'approximately a 20% improvement' above Building Regulations, whereas, the fifth paragraph in the first column on Page 28 seeks 'a 19% improvement' above target.

	<p>Policy CC2b) relates to non-residential developments and requires all such schemes to attain BREEAM building standard ‘excellent’. The technical manual for the construction of non-domestic buildings covers a wide range of sustainability matters, not just energy efficiency and if the BREEAM building standard ‘excellent’ is to be achieved any scheme would not only need to be energy efficient, but would also have to perform well against the other factors such as water, waste, transport, pollution ecology etc. Clarity is required on whether any scheme should be assessed just against the energy efficiency criteria or against all the BREEAM building criteria.</p> <p>Clarity is also required on whether BREEAM building standard ‘excellent’ would be sought on all non-residential developments, including small extensions to commercial buildings and / or changes of use. If the standard is to be sought on all non-residential developments, it would be unduly onerous. It may be more appropriate to seek BREEAM assessment only for larger non-residential developments.</p> <p><u>Policy CC3 - Energy Generation to Offset Predicted Carbon Emissions</u></p> <p>A minor change is required to avoid a potential lack of clarity.</p> <p><u>Policy CC5 - Flood Risk Assessment</u></p> <p>There is already detailed national guidance on the preparation of flood risk assessments, so it is not clear why Policy CC5 is needed or why a more detailed neighbourhood plan policy is necessary for the Bridport area. The policy should be deleted, but if such provisions are to be retained, they should be set out in the supporting text, rather than a policy.</p> <p><u>Policy AM4 – Contributions to Maintain and Improve the Footpath and Cyclepath Network</u></p> <p>Policy AM4 needs to be re-worded to reflect the different ways in which developers could contribute towards the maintenance and improvement of the footpath and cyclepath network (where justified), which is not always through developer contributions.</p> <p><u>Policy AM5 – Car Parking Strategy</u></p> <p>The ‘car parking strategy’ in Policy AM5 does not seem to be based on evidence and an element of it also seems to conflict with a stated aim in the supporting text of the neighbourhood plan. The ‘car parking strategy’ in Policy AM5 does not appear to have been prepared in consultation with the council and there is a concern that it may conflict with the council’s own (area-wide) parking strategy. Due to these concerns the policy should be deleted.</p> <p><u>Policy AM6 – Connections to Sustainable Transport</u></p> <p>Policy AM6 requires new developments to provide access to public and community transport and easy connections to the social, community and retail facilities of the neighbourhood plan area. This is unlikely to be achievable in many cases because of the limited provision of ‘public and community transport’ in the area. It is also not clear how the acceptability of a development proposal should be judged against the policy.</p>
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Policy AM7 – Transport Hub Proposal

Policy AM7 is, consistent with local plan Policy BRID4. However, changes are required to recognise the interrelationship between the policies and to show precisely where Policy AM7 would apply. It would be helpful for the supporting text to refer to local plan Policy BRID4 and to the wider mix of uses proposed including possible retail use associated with the expansion of the town centre.

A map should also be provided showing the area to which Policy AM7 would apply. It is assumed that it would not relate to the whole BRID4 site, particularly the eastern section around Tannery Road. A map would also be helpful to show if Policy BRID4 required any existing areas of car parking to be lost.

Employment Land at Vearse Farm – Supporting Text

The fourth paragraph in the first column on page 37 refers to class B2 as ‘office and light industrial’. However, Class B2 is ‘general industrial use’ and may not be appropriate close to residential properties, as the supporting text suggests.

Policy EE1 – Protection of Existing Employment Sites

The local plan identifies 8 ‘key employment sites’ at Bridport, which are protected by local plan Policy ECON2. Policy EE1 in the neighbourhood plan identifies 2 additional ‘key employment sites’ and also sets out some criteria which would apply to these additional sites. There are a number of problems with this approach.

The neighbourhood plan effectively elevates the status of these sites by making them ‘key employment sites’, which would then receive a higher level of protection under local plan Policy ECON2. It is not clear from the neighbourhood plan how the proposed change in status has been justified, especially given the relatively small size of the sites and the presence of non B-class uses, particularly on East Road Business Park.

Even if the elevation in status could be justified, some of the criteria of neighbourhood plan Policy EE1 differ from those in local plan Policy ECON2. It is clearly not acceptable for the same designation (i.e. key employment sites) to be subject to materially different policies in the local plan and the neighbourhood plan.

There are a number of different ways in which this could be resolved.

Policy EE2 – Provision for New and Small Businesses

Policy EE2 needs to be redrafted (or split to become two separate policies) to clearly distinguish between proposals for businesses and proposals for homeworking. This is because a business would typically fall within a B class (employment) use, whereas homeworking is generally considered to be ancillary to C3 (residential) use. Clarity is also required on whether the transition from homeworking to a business use would be permitted. Criterion 2b) seems to imply that it would not.

Policy EE3 – Sustainable Tourism

Policy EE3 needs to be redrafted to apply different criteria to tourist-related accommodation and to tourist facilities, in order to

	<p>reflect the approach in the local plan, which includes policies on tourism attractions and facilities (ECON5), built tourist accommodation (ECON6) and caravan and camping sites (ECON7). An alternative approach may be to break down Policy EE3 into a number of separate policies.</p> <p><u>Policy H1 – General Affordable Housing Policy</u></p> <p>The ‘open book’ approach to viability assessments, set out in criterion 2, accords with national planning guidance. This provision is not set out in criterion iii) of local plan Policy HOUS1, but is appropriate for inclusion in the neighbourhood plan recognising that this addition to national guidance was published after the adoption of the current local plan.</p> <p>Criterion 4 indicates that the affordable housing mix will be guided by the latest Bridport Area Housing Needs Assessment. It would be helpful if the supporting text clarified that this criterion will need to be applied in the context of paragraph 64 of the NPPF. Again this provision is not set out in local plan Policy HOUS1, but would reflect the change to national policy, which was published after the adoption of the current local plan.</p> <p>Criterion 5 of Policy H1 supports the exclusion of starter homes from the mix of affordable housing. However, starter homes are a legitimate form of affordable home ownership. Rather than seeking to exclude starter homes, it might be more appropriate to indicate that forms of affordable home ownership that would help to meet local needs would be sought as part of the affordable housing mix, which would be very unlikely to include starter homes.</p> <p><u>Policy H2 – Placement of Affordable Housing</u></p> <p>Parts 1 and 2 of Policy H2 should be amended to reflect the reality of what is usually secured at outline and full / reserved matters stages. At outline stage the planning agreement usually secures the percentage and tenure of the affordable housing to be provided. It is only at reserved matters / full application stage that the numbers, size, type and location are secured. This is because detailed layouts are drawn up (and final numbers determined) only at the reserved matters / full application stage.</p> <p><u>Policy H3 – Affordable Housing Exception Sites</u></p> <p>The approach of permitting small numbers of open market homes on exception sites in the Bridport area in Policy H3 of the neighbourhood plan accords with the relevant section of supporting text in the local plan.</p> <p>Criterion 1 of Policy H3 indicates that the mix of affordable homes should be guided by the latest Bridport Area Housing Needs Assessment. There would be greater clarity if criterion 2 stated that the market element would also be guided by the latest assessment.</p> <p>The wording of the supporting text to Policy H3 needs redrafting to provide greater clarity about the percentage of open market housing that would be permitted on an exception site.</p> <p><u>Policy H7 – Custom-Build and Self-build Homes</u></p> <p>Criterion 1 requires a minimum of 4% of the dwelling plots on developments of 25 or more units to be self-build.</p>
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	<p>The council considered the option of requiring self-build plots on housing sites, but a number of housebuilders and developers objected to this approach raising concerns about site viability and the potential negative impact on overall housing delivery. This approach is not being taken forward at the present time.</p> <p>It is not clear whether the potential viability and housing delivery implications of the proposed approach put forward in Policy H7 of the neighbourhood plan have been considered. Consideration should also be given to whether a specific site should be allocated for this purpose in the neighbourhood plan, or whether a self build / custom build site should be suggested by the local community for allocation in the local plan review.</p> <p><u>Policy H8 – Community-Led Housing</u></p> <p>Criterion 2 of Policy H8 indicates that the mix of affordable homes should be guided by the latest Bridport Area Housing Needs Assessment. However, there is apparently no requirement for the market element to also be guided by the assessment. It is more likely that an appropriate mix of homes would be achieved, if the market element also reflected the findings of the latest needs assessment.</p> <p>The wording of the supporting text to Policy H8 needs redrafting to provide greater clarity about the percentage of open market housing that would be permitted on an exception site.</p> <p><u>Policy H8 – Principal Residence Requirement</u></p> <p>The former Dorset County Council’s research team used to publish data on second home ownership online, but no longer do so. Based on this previously available data (on council tax records from 2016/17) it is estimated that 5.2% of properties in West Dorset and 5.4% of properties in the Bridport Town Council area were second homes. This raises the question of whether a policy seeking to establish a principal residence requirement in the Bridport area is needed or justified.</p> <p>There does not seem to be any evidence in the neighbourhood plan on the impact the principal residence restriction would have on the local housing market (for example impacts on demand, house prices and viability). It appears that the principal residence restriction would also prevent new open market housing being used for holiday lets. Consideration needs to be given to the impact such a restriction may have on tourism. Further evidence on these points is required to demonstrate that this policy would contribute to sustainable development. In the absence of such evidence, the policy should be deleted.</p> <p><u>Policy CF2 – New Community Services and Facilities</u></p> <p>This policy supports ‘new and improved utility infrastructure’. However, it is unclear what ‘utility infrastructure’ means, as there does not appear to be any supporting text to this policy. Clarification on what is being encouraged by this policy is required.</p> <p><u>Heritage Chapter – Supporting Text</u></p> <p>The third paragraph in the second column on page 58 indicates that there are no Scheduled Monuments in the neighbourhood</p>
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	<p>plan area however this is not the case.</p> <p><u>Policy HT1 – Non-designated Heritage Assets</u></p> <p>Conservation officers from the council have examined the ‘local list’ prepared by the Joint Councils Committee and are satisfied that all the buildings and structures listed should be considered to be non-designated heritage assets, which merit protection.</p> <p><u>Policy HT2 – Public Realm</u></p> <p>This policy is very short and unclear, so it is not evident how it should be used to determine the acceptability of development proposals. The policy should be deleted.</p> <p><u>Policy HT3 - Shopfront Design</u></p> <p>Conservation officers from the council have examined and support Policy HT3 and the more detailed guidance in Appendix A. Criterion 1, which indicates that any proposals would also need to be designed in accordance with ‘any Shopfront Design Guidance for West Dorset’, is welcomed, especially since Dorset Council is in the process of preparing shopfront design guidance for the whole of the Dorset Council area.</p> <p><u>Policy L1 – Green Corridors, Footpaths, Surrounding Hills &amp; Skylines</u></p> <p>A key characteristic of the neighbourhood plan area is that it lies entirely within the Dorset AONB, washing over Bridport itself and all the surrounding parishes. Although the AONB is mentioned in the supporting text, the importance of this nationally designated landscape is not reflected in Policy L1. The policy should be rephrased to set out how development should aim to conserve and enhance the landscape and scenic beauty of this part of the Dorset AONB.</p> <p><u>Map 6 – Designated Biodiversity Areas</u></p> <p>Map 6 is entitled ‘designated biodiversity areas’, however, not all the designations shown relate to biodiversity and some biodiversity designations are not shown.</p> <p><u>Policy L2 – Biodiversity</u></p> <p>Although Policy L2 seeks a net gain to biodiversity and includes the hierarchy of alternative sites, mitigation and compensation, where significant harm cannot be avoided, the policy does not give protection to nationally and internationally designated sites, such as Special Areas of Conservation (SACs) and Sites of Special Scientific Interest (SSSIs), which Map 6 shows are present in the neighbourhood area. Such sites are given protection by national policy and by Policy ENV2 in the local plan. Either Policy L2 could be expanded to give protection to these sites, or the supporting text could be amended to recognise the presence of such sites within the neighbourhood area and to cross-refer to local plan Policy ENV2.</p> <p>Maps 6, 7 and 8 need to be redrawn to clearly show the specific wildlife corridors and priority habitats that criterion 3 of the policy seeks to protect.</p>
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Green Corridor Management

The text in the first column on page 65 seeks to protect ‘green corridors’ and the ‘green infrastructure network’. However, these provisions are not reflected in the following policy (Policy L3 – Local Green Spaces) and there is no map to show precisely which areas these provisions would apply to. Either this section of text needs to be deleted, or a new policy needs to be drafted, setting out those provisions, with an accompanying map to show where such provisions would apply.

Policy L3 – Local Green Spaces

There does not appear to be any supporting text to Policy L3. Whilst this is not strictly necessary, it would be helpful to provide some context to the policy itself and perhaps the strong protection given to such areas by the NPPF.

Policy COB3 - Small Business Support

Policy COB3 is entitled ‘small business support’. However, it is exclusively concerned with retail. It would be clearer if the policy was renamed to reflect its aims. Clarification is also required on whether this policy should apply to the whole of the ‘centre of Bridport’ (as defined on Map 11 of the neighbourhood plan), or whether it should apply to the much smaller ‘Bridport Town Centre’ (as shown on the local plan Policies Map).

Criterion 1 of the policy seeks to prevent the merging of multiple shop units. However, in cases where there would be no external works, planning permission would not be required and it would not be possible to resist this.

Policy COB4 – St Michael’s Support for the Creative Industries

Policy COB4 indicates that a ‘broadly comparable area (7,951m<sup>2</sup>)’ of commercial space should be provided in any alternative (or reserved matters) scheme for the redevelopment of the St Michael’s site. Any such scheme would be an alternative to the outline consent, which has been granted. Whilst the approach of seeking a broadly comparable area is supported, the inclusion of the precise floorspace in the policy could be interpreted as giving little flexibility. Either the precise floorspace figure should be deleted from the policy (but retained in the supporting text), or some additional qualifying text should be added.

Policy D2 – Programme of Public Consultation

It is a local requirement of the joint validation checklist that currently operates across the Dorset Council area for developers, particularly of larger sites, to seek the views of the local community and to show how they have been taken into account in the formulation of development proposals. Whilst consultation with the local community is good practice and is actively sought by the council, it is not a mandatory requirement and consequently it may not be possible for an application to be refused purely on the basis that community consultation has not been carried out.

Policy D4 – Mix of Uses

The council’s adopted Design and Sustainable Development SPD seeks a masterplan on larger scale developments, which it indicates would be in the region of ‘100 or more homes’. It is not clear why, in the Bridport area, a masterplan is a requirement

	<p>(rather than something that is sought) and why it is required above a threshold of 50, rather than 100 dwellings. Unless these changes can be justified, the policy should be amended to indicate that a master plan will be sought in the Bridport Area for schemes in the region of 100 or more homes.</p> <p><u>Policy D6 – Definition of Streets and Spaces</u></p> <p>Criterion a) seeks an ‘appropriate building height to street width ratio’, but neither the policy nor the supporting text give an indication of what ratio would be considered to be appropriate.</p> <p>Criterion c) seeks ‘adequate parking provision’, but no indication is given as to what might be considered to be ‘adequate’.</p> <p><u>Policy D8 – Contributing to the Local Character</u></p> <p>The first paragraph of supporting text in the first column on page 81 states that ‘developments within or encroaching on designated Conservation Areas will be required to conform to their existing surroundings’. This statement seems unduly prescriptive and may not result in development that would preserve or enhance the character of conservation areas.</p> <p><u>Policy D9 – High Quality Architecture</u></p> <p>Criterion a) of Policy D9 seeks to ensure that buildings have ‘an appropriate ratio of wall area to window area’. However, neither the policy nor the supporting text provides any guidance on what ratio would be appropriate. This part of the policy is considered to be unclear and ambiguous, as it is not evident how a decision maker should react to development proposals.</p> <p><u>Policy D10 – Environmental Performance</u></p> <p>Policy D10 needs to be redrafted to only seek measures that could enhance environmental performance through the planning system and which would be feasible and viable. As written, the policy seeks to implement a range of measures that seem to exceed the requirements of the Building Regulations, without having considered the feasibility or viability of seeking or requiring such measures. Either certain elements of the policy need to be deleted, or if they are to be retained, they need to be supported by evidence to show that such measures would be feasible and viable.</p> <p>Criteria 1a) and 1b) relate to building materials and their sustainability. This is largely a matter for the Building Regulations, rather than planning.</p> <p>Criterion 2 similarly seeks the use of technologies and methods of construction that outperform Building Regulations. Again it may not be appropriate to prevent or restrict the use of certain technologies and methods of construction, if they are acceptable under the Building Regulations.</p> <p>Criterion 3 relates to sustainable drainage systems and requires that areas of more than 5 square metres of hard surfacing should be permeable. The Written Ministerial Statement indicates that sustainable drainage systems should only be sought on ‘major developments’ (i.e. sites of 10 or more dwellings).</p> <p>Criterion 5 seeks the application of Lifetime Homes Standards, which in certain respects exceed the requirements of Building</p>
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		<p>Regulations. It may not be appropriate to seek such standards, without evidence to show that this would not affect the viability of development in the Bridport area.</p> <p><u>Policy D12 – Building for Life</u></p> <p>It is considered acceptable in principle to seek the use of the Design Council’s Building for Life standard to assess certain new housing developments. However, it is not acceptable: for this to be a requirement; for this to apply to all schemes of 10 or more homes; or for a specified number of ‘green traffic lights’ to be met in order for permission to be granted. The council only seeks the use of such an assessment on larger developments where masterplans are to be prepared. The Design Council, who has prepared Building for Life, advises against requiring a minimum score in any assessment.</p> <p><u>Policy D13 – HAPPI Principles</u></p> <p>It is considered acceptable in principle to seek the use of the HAPPI principles to assess schemes for elderly persons’ accommodation for certain new housing developments. However, it is not acceptable for this to be a requirement. The policy and supporting text should be redrafted to encourage such proposals to embrace HAPPI principles as far as possible.</p> <p><u>Appendix A – Shop Front Design Guidance</u></p> <p>Conservation officers from the council have examined and support the detailed guidance in Appendix A. This is considered to be in general conformity with Policy ENV14 in the local plan. It usefully includes a selection of ‘good examples’ in the appendix.</p> <p><u>Referendum Area</u></p> <p>The Bridport Area Neighbourhood Plan covers the parishes of Allington, Bradpole, Bridport, Bothenhampton &amp; Walditch and Symondsburry. This includes to whole of the built-up area of Bridport (including West Bay) together with areas of surrounding countryside. It is considered that the referendum on the neighbourhood plan should also cover this area.</p>
5	Environment Agency	<p><u>Policy CC5 Flood Risk Assessment</u></p> <p>We note that the plan has a flood risk policy which support the National and Local Policy by referring to climate change. We would remind the Neighbourhood Plan that development must accord with the principles set out on <a href="https://www.gov.uk/guidance/flood-risk-assessments-climate-change-allowances">https://www.gov.uk/guidance/flood-risk-assessments-climate-change-allowances</a> rather than any alternative method for calculating impacts of climate change as indicated in the supporting text.</p> <p>We would remind you that the Local planning authorities’ Strategic Flood Risk Assessments (SFRAs) should be the primary source of flood risk information. Other important sources include the interactive maps of flood risk available on the Environment Agency’s web site. There are also specific issues, which should be considered when assessing and managing surface water matters.</p> <p><u>Policy L2 Biodiversity</u></p>

		<p>The National Planning Policy Framework (NPPF) is clear that pursuing sustainable development includes moving from a net loss of biodiversity to achieving net gains for nature, and that a core principle for planning is that it should contribute to conserving and enhancing the natural environment and reducing pollution.</p> <p>Similarly the Government’s 25 Year Environment Plan (February 2018) has policy for embedding an ‘environmental net gain’ principle for development, including housing and infrastructure.</p> <p>We note that your Neighbourhood Plan policy’s are looking to seek opportunities to enhance biodiversity and contribute to wildlife and habitat connectivity in the wider area.</p> <p>Biodiversity enhancement in and around development should be led by a local understanding of ecological networks, and should seek to include:</p> <ul style="list-style-type: none"> <li>• habitat restoration, re-creation and expansion;</li> <li>• improved links between existing sites;</li> <li>• buffering of existing important sites;</li> <li>• new biodiversity features within development; and</li> <li>• securing management for long term enhancement.</li> <li>• Green/blue infrastructure and recreational opportunities</li> </ul> <p>Further guidance can be found at: <a href="https://www.gov.uk/guidance/natural-environment">https://www.gov.uk/guidance/natural-environment</a></p> <p>Links to further guidance enclosed.</p>
6	Hallam Land Management	<p><u>Policy H9 Principle Residence Requirement</u></p> <p>While it is acknowledged that the community has raised concerns about the number and impact of second homes in the area, Hallam Land object to the inclusion of Policy H9 in the Bridport Area Neighbourhood Plan (BANP) for the following reasons:</p> <ol style="list-style-type: none"> <li>1. The disparity between the BANP evidence base in regards to the number and predicted increase in second homes in the area (reaffirmed by AECOM, who do not believe the policy is justified);</li> <li>2. The impact on tourism of such a restrictive policy;</li> <li>3. The impact on the viability of housing schemes (and therefore the ability to deliver both general market housing as well as Affordable Housing).</li> </ol> <p>It can therefore be concluded that Policy H9 is unwarranted and does not meet the Basic Conditions test in The Neighbourhood Planning (General) Regulations 2012 (‘The Regulations’).</p> <p>Hallam Land do not support the policy as it could potentially affect the viability of Vearse Farm, a major housing site in the</p>

	<p>Council’s adopted Local Plan.</p> <p><u>Basic Conditions</u></p> <p>Review of the BANP Basic Conditions Statement has identified a lack of information with regards to which national and local polices have been considered to inform the BANP Polices, and as such the Basic Conditions Statement must be called into question.</p> <p>The Plan’s objectives for housing would appear to be too narrowly focused on affordability and balanced communities, to the detriment of national guidance <i>‘boosting significantly the supply of homes.’</i></p> <p>The inadequacy of the supporting evidence for Policy H9 means that it cannot be demonstrated this would deliver sustainable development nor would it deliver a sufficient supply of homes. It can therefore be seen that Policy H9 fails to meet basic condition (a) and (d).</p> <p>There is little within the BANP Basic Conditions Statement to show that the Local Plan has been properly considered in creation of its policies. Whilst it acknowledges that the Local plan seeks to deliver 1474 new homes in the neighbourhood plan area, it emphasizes the neighbourhood plan’s focus on policies maximizing the provision of housing that is genuinely affordable to those in need. Policy H9 is obviously a by product of this focus, which potentially could undermine the Local Plan’s delivery of housing within the neighbourhood plan area. Hallam Land consider that the Plan does not comply with LP Policy SUS5 in terms of it being <i>‘credible, justifiable and achievable.’</i></p> <p><u>Evidence Base</u></p> <p>All Neighbourhood Plans are required to draw from a credible evidence base. The BANP is supported by a range of evidence which was assessed by AECOM in a report published in January 2019. The contents of this report, detailed in Appendix 1, question the evidence for Policy H9.</p> <p>AECOM concluded in their report (submitted as part of the evidence base with the BANP) that the BANP plan would benefit from further refinement and highlighted that there was a risk that national and local policy were being repeated. Evidence for the policy is provided via the Housing Needs Assessment for Allington, Bothenhampton &amp; Walditch, Bradpole, Bridport and Symondsburry Version 1 (March 2019). Much of the data that supports the assessment is gleaned from census data and sources, such as stamp duty charges within the area, which are notable as being difficult to apply to specific areas. Additionally, the additional stamp duty required to be paid on homes not used as primary dwellings does not just apply to second homes as it also applies to landlords purchasing properties (which may subsequently be let as a primary residence).</p> <p>Other than the reliability of the methodology and sources of the data, the differences between the parishes that are covered by the BANP are highlighted by the AECOM report.</p> <p>The evidence base is further called into question by the West Dorset, Weymouth and Portland Preferred Options 2018 Plan, an emerging local plan which cited that <i>‘Second homes ownership is also an issue [in the plan area]. 6.7% of properties in West</i></p>
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	<p><i>Dorset and 3.8% in Weymouth and Portland are second homes</i>’. The Plan goes on to identify that Lyme Regis, as a principal tourist resort, in 2011 had over 20% of its housing stock as second homes. The calculations undertaken used NPPF approved methodology and, although for a wider area, did not conclude that the rate of second home ownership at that time, within West Dorset, Weymouth and Portland as significant enough to justify a restrictive policy for the Plan area, nor has it put forward Bridport (or Lyme-Regis for that matter) as a specific area, where a policy to deter second home ownership is justified.</p> <p>The reliability for the BANP evidence base is questionable, and its conclusions are not reflected in the relatively recent emerging local plan, based on a recent housing needs assessment.</p> <p><u>Other relevant Neighbourhood Plans</u></p> <p>A table is enclosed that shows several examples of neighbourhood plans that have been ‘made’ in recent years that have included a Principal Residence policy. Bridport’s second homes percentage is provided for comparison.</p> <p>The AECOM report highlighted that examiners of similar Neighbourhood Plan policies had both accepted and refused Principal Residence policies, depending on the evidence base provided.</p> <p>Hallam’s own review has found that independent examiners for the above neighbourhood plans concluded that the basic conditions that needed to be met were those of a), d) and e), as identified in this representation, and that evidence needed to show that uncontrolled growth of second homes has an adverse impact on local community/economy (See Rame Peninsula examiners report).</p> <p>The examples above reveal an average proportion of overall housing stock being second homes 23.4%. BANP reveals an average in the entire area of 10%, where there is great disparity between areas ranging from 6.6% in Bradpole and 16.4% in Symondsburry (including part of West Bay), as shown by figure 1.</p> <p>The growth rates from 2001 to 2011 that were included within the evidence base for the issue of uncontrolled second homes development in Mevagissey and St Ives were approximately 52% and 67% respectively, whereas BANP second homes growth is suggested over time to increase to around 15%, which although is a 50% increase on the present situation, this figure could potentially decrease as new housing stock is delivered through the current adopted local plan. Even if it reached 15%, this is well below the figures quoted in the other neighbourhood plans with restrictive occupancy policies referred to.</p> <p>As described in the AECOM report, although Policy H9 is intended to provide supportive information for the local circumstances of the Neighbourhood Area, there are questions into the reliability of the evidence base that has been used to prepare the BANP and to support Policy H9. The AECOM report questions second home’s impact on house prices in the area, as well as the possibility of the policy negatively effecting the local economy. The BANP policy’s own supporting text also recognises that existing second homes in the area support the local tourism and service business centres.</p> <p>Bridport Town Council suggest that second-home ownership is not evenly distributed across the area. This would require a ‘character area’ approach to policy making which could result in areas not affected by this policy restriction becoming more</p>
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		<p>popular with second homes over time.</p> <p>The Consultation Statement 2019 published alongside the Neighbourhood Plan Submission which summarises previous consultation responses does not include any comments regarding second homes.</p> <p>Compliance with the Local Plan and its evidence base and specifically its intentions for the strategic development identified for Bridport and Policy SUS5 Neighbourhood Development Plans is called into question by BANP’s inadequate evidence base. The wording of the policy is not sufficiently focused and as such the deliverability of the policy is questionable, particularly with its reliance of ongoing monitoring by way of evidence for future market housing occupants supplied to the Council. This means that the BANP and Policy H9 fail to meet basic condition e) in not being in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area).’</p> <p><u>Impact on Tourism</u></p> <p>West Dorset District Council (WDDC) acknowledge in an earlier response to consultation on a draft BANP that the impact on tourism which would arise out of such a policy would have a detrimental impact on the area. Tourism is an important contributor to the economy of Bridport and West Dorset and development which would affect this may be considered contrary to the requirements of the NPPF.</p> <p><u>Impact on Viability</u></p> <p>WDDC also confirm such a policy would have a substantial impact on the viability of proposed schemes, which would affect their capacity to deliver general market housing and Affordable Housing. Given the extant consent on the Vearse Farm site, the opportunity to meet a well-recognised housing need in the area would be adversely impacted by such a proposal.</p> <p><u>Appendix</u></p> <p>Appendix 1 – BANP Evidence Base Report (AECOM) Extract</p>
7	Highways England	<p>Highways England is responsible for operating, maintaining and improving the strategic road network (SRN) which in this instance consists of the A35 which runs through the plan area.</p> <p>We are satisfied that the plan’s proposed policies are unlikely to lead to development which will adversely affect the operation of the trunk road and therefore we have no specific comments to make. However, in general terms we welcome the Plan’s aspiration for a sustainable transport future and the focus throughout the Plan on enabling improvements to walking, cycling and public transport provision thereby reducing the reliance on private car trips.</p> <p>We are also supportive of those policies which seek to protect and enhance local facilities, services and employment space which will contribute to creating and maintaining sustainable communities.</p> <p>We have also noted the list of potential Neighbourhood Plan Projects, in particular the potential Transport Study within Project 11 to inform infrastructure improvements and public transport provision. We would obviously be happy to engage with the</p>

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		community in the development of any study.
8	Historic England	There are no comments on the Plan we wish to submit.
9	Katy Trigg	<p>I very much support this plan.</p> <p><u>Policy H1 General Affordable Housing</u></p> <p>There is a very definite demand for affordable housing in the area. There are so many residents of my generation who simply struggled to get on the housing ladder and currently there are too many properties being bought as second or holiday homes really pushing up the prices.</p> <p>I hope this plan comes into fruition as it should benefit those that most need housing.</p>
10	Kelvin Bird	<p>I agree with most things in the plan, the trouble is funding. You will never get the money to proceed with half of what you propose.</p> <p><u>Policy H1 General Affordable Housing</u></p> <p>Affordable Housing – this is the biggest joke of all, none of it will be “affordable” to the local young people.</p> <p><u>Verarse Farm</u></p> <p>Verarse Farm needs stopping before the first brick is laid. The 900 homes will bring in up to 3600 people and 1800 cars. We need better transport, a hospital with full services – not ones which are being sent to Dorchester or Blandford – more GP’s and Dentists.</p>
11	Wood E&I Solutions UK Ltd on behalf of National Grid	<p>National Grid wishes to be involved in the preparation, alteration and review of plans and strategies which may affect our assets.</p> <p>National Grid has identified the following high voltage overhead powerlines as falling within the Neighbourhood area boundary: 4YA Route – 400kv two circuit route from Chickerell substation in West Dorset to Axminster substation in East Devon. From the consultation information provided, the above overhead powerline does not interact with any of the proposed development sites.</p> <p>Whilst there are no implications for National Grid Gas Distribution’s Intermediate / High Pressure apparatus, there may however be Low Pressure (LP) / Medium Pressure (MP) Gas Distribution pipes present within proposed development sites. If further information is required in relation to the Gas Distribution network, please contact <a href="mailto:plantprotection@cadentgas.com">plantprotection@cadentgas.com</a></p> <p>Information regarding the electricity distribution network can be found at: <a href="http://www.energynetworks.org.uk">www.energynetworks.org.uk</a></p>

		<p>National Grid is happy to provide advice and guidance to the Council concerning our networks.</p> <p>Appendix 1 provides a map of the National Grid network across the UK.</p>
12	Natural England	<p>Natural England does not have any specific comments on this draft neighbourhood plan with regards to designated nature conservation sites.</p> <p><u>Policy L2 Biodiversity</u></p> <p>Natural England are however supportive of the biodiversity policies and encouragement to provide a net gain for the environment through development. It would be prudent to reflect the authority’s commitment to the use of Biodiversity Mitigation and Enhancement Plans where the relevant risk thresholds are triggered to enable the delivery of the policy ambitions.</p> <p>Natural England would also welcome better direction for what types and proportionality of biodiversity net gain would be most appropriate in this neighbourhood that better reflects the local natural assets. For example, the Jurassic coast has an exceptional assemblage of invertebrates so new development could incorporate solitary mining bee bricks into the structure of the building.</p> <p>An annex which covers issues and opportunities is attached.</p>
13	Richard Walsh	<p><u>Policy H8.1 Community-Led Housing</u></p> <p>Currently the policy wording could suggest that applications for such developments are not subject to the same constraints as any other housing development in terms of meeting the normal criteria relating to housing as regards quality, location etc. This is at odds with the wording on page 47 which explains that applications for Community-Led Housing are subject to the same planning constraints.</p> <p>My concern is that the current policy wording could create a loop-hole whereby a development could be granted permission in an area where housing is prohibited such as a designated green space or green gap.</p> <p>I request that the policy wording be changed to remove this potential ambiguity and make it clear that any application for a Community-Led Housing scheme must satisfy normal planning constraints or be refused planning permission.</p>
14	Sport England	<p>Sport England’s statutory consultee role in protecting playing fields and the presumption against the loss of playing field land. Standard response to Neighbourhood Plans attached.</p>
15	LRM Planning Ltd on	<p><u>Meeting Housing Needs</u></p> <p>The Basic Conditions Statement (Final v.6 May 2019) confirms that the current development plan (West Dorset, Weymouth &amp; Portland Local Plan 2015) plans for the 1,474 new homes in the Neighbourhood Area to 2031. The BANP covers the period to</p>

<p>behalf of Symondsbury Estate</p>	<p>2036. The Plan does not propose any additional new housing sites to meet this need during the five year period beyond the life of the current development plan.</p> <p>Basic Condition (d) requires that neighbourhood plans contribute to the achievement of sustainable development. In terms of its social objective, sustainable development includes ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations.</p> <p>Paragraph 60 of the NPPF confirms that to determine the minimum number of homes needed, policies should be based on a local housing needs assessment, conducted using the standard method in national planning guidance. There is no indication provided within the BANP, or accompanying evidence, that there are exceptional circumstances which justify an alternative approach.</p> <p>The BANP evidence includes a Housing Needs Assessment (Version 1, March 2019). This report states a need of 1,654 for the period to 2036, or 83 dwellings per year.</p> <p>Whilst this report is included in the evidence base, the BANP itself relies on housing need as set out in the West Dorset, Weymouth &amp; Portland Local Plan 2015, which was calculated prior to the introduction of the Standard Methodology. The BANP does not plan to meet the additional need for the five year period beyond the existing development plan. Thus it does not ensure that a sufficient number and range of homes can be provided to meet the needs of present and future generations across the proposed period of 2036. For these reasons the BANP does not meet the requirements of Paragraph 60 of the NPPF.</p> <p>The BANP does not therefore reflect the latest national policies and advice issued by the Secretary of Estate and does not accord with Basic Condition (a). In addition, by not ensuring that the housing needs of the community are being met, the BANP could be considered to fail to meet the social objective of the achieving sustainable development. As a result, the BANP may not meet the requirements of Basic Condition (d).</p> <p>As a final point, of its objectives, the BANP contains two (Objectives 5 &amp; 6) which specifically relate to meeting the housing needs of the community. By not planning to meet the objectively assessed housing needs of the whole community across the entire period of the plan, it must be questionable whether the BANP will be able to meet its own objectives of maximising the provision of affordable housing and supporting the delivery of balanced communities.</p> <p>We are aware that early in the BANP process a ‘call for sites’ was issued to which representations were made by my client. There has been no feedback in response to this, or any further engagement. The BANP does not contain proposal for housing development, with at least some potential sites now seemingly proposed as extensive and unjustified Green Gaps.</p> <p><u>Objective 17 &amp; 18</u></p> <p>The BANP recognises that changing consumer preferences are resulting in uncertainty for the future of retail in Bridport. In response to this it is proposed to develop policies and projects that support small businesses in the town centre.</p> <p>This aim is generally supported. However, Objective 17 would seem to point towards a reduction in car parking capacity beyond</p>
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	<p>the short/medium term. Any loss of parking will undermine the town centre. Parking should therefore be protected for the duration of the plan.</p> <p>Any move that results in a reduction to the level of activity in the town centre may well adversely affect the character and attractiveness of Bridport. The achievement of Objectives 17 and 18 will in our client’s view result in such an outcome and if so would negatively impact on town centre vitality, along with the local economy generally. This is a matter that clearly needs careful consideration and a decision to include these objectives must be supported by evidence. That is not currently the case.</p> <p>The issue that needs to be resolved is not the movement of vehicles and their accessibility, as explained above these in fact contribute positively to the town centre. It is rather an issue of noise and pollution and the objectives should be revised to reflect this by positively encouraging vehicles that are quieter and less polluting.</p> <p>Revised wording supplied.</p> <p><u>CC1 Publicising Carbon Footprint, CC2 Energy and Carbon Emissions and CC3 Energy Generation to Offset Predicted Carbon Emissions</u></p> <p>The evidence referred to in the BANP evidence base in support of Policies CC1, CC2 and CC3 is not specific to the area covered by the plan. Simply referring to other plans that have such policies is insufficient evidence and justification.</p> <p>The BANP recognises that there is a need to demonstrate that development viability is not compromised by the proposals in the policy. However, the analysis relating to this matter set out in the relevant evidence report (Climate Change Working Group Policy proposals for energy performance of new buildings) relies on viability evidence published in 2012 in support of the West Dorset Local Plan.</p> <p>This evidence is not specific to the proposals in the plan and is out of date.</p> <p>As written Policies CC1, CC2 and CC3 lack any flexibility in terms of their application. In practical terms, these policies will require every single planning application, including for example a householder extension or minor project to complete technical studies to establish the anticipated carbon emissions. There is no evidence to support or justify such a requirement.</p> <p>To address this issue in the absence of appropriate evidence, Policies CC1, CC2 and CC3 should be removed from the BANP.</p> <p><u>AM5 Car Parking Strategy</u></p> <p>Reference is made in (e) of the criteria to ‘Car Parking: What Works Where’ as evidence to justify Policy AM5. The guidance is out of date. Additionally, the guidance itself is general and described as a ‘tool kit’ that takes stock of common car parking treatments and reviews how successful they are in providing adequate levels of safe parking within a high quality environment.</p> <p>Whilst there may or may not be elements of the guidance that could usefully be applied to parking provision in the Neighbourhood Area. It is not appropriate evidence to support a particular policy.</p> <p>Policy AM5 should be modified to omit Criteria Point (e). If the policy is to be retained in its current form it should updated to</p>
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	<p>explain why (e) is required and how this is supported by evidence.</p> <p><u>H9 Principal Residence Requirement</u></p> <p>Whilst local concerns are acknowledged in respect of the number and impact of second homes, the potential ramifications of a policy must be considered thoroughly. A reasoned assessment of the possible consequences of the policy on both the market for existing homes and the delivery of new homes, including affordable homes, is required. The outcome of that evidence should then be used to underpin the policy decision.</p> <p>It should be noted that there is evidence emerging from places such as St Ives, Cornwall, where a similar policy was introduced in 2016, which suggests that it may now be having the unintended impact of restricting the development of housing, including affordable homes.</p> <p>Whilst some form of restrictive policy may well be appropriate, this must be informed by analysis and robust evidence so as to ensure that unintended consequences are avoided.</p> <p>In its current form Policy H9 should be removed from the BANP.</p> <p>Alternatively, appropriate analysis of the issues related to second homes and the options for addressing these through the planning system, could be conducted. These options could for example include applying a restriction to the first occupation of a new dwelling, or only applying the restriction to schemes that do not require the provision of affordable housing. The analysis of potential impacts can then underpin an appropriate policy that reflects the evidence.</p> <p><u>HT2 Public Realm</u></p> <p>Policy HT2 is neither clear and/or unambiguous about what is to be protected and/or what constitutes ‘negative impact’ or ‘harm’.</p> <p>To address this Policy HT2 should be modified or omitted from the BANP. If the policy is to be retained in a modified form it should be supported by evidence to demonstrate its purpose.</p> <p><u>HT1 Non Designated Heritage Assets</u></p> <p>The accompanying text to Policy ENV4 Heritage Assets of the West Dorset, Weymouth &amp; Portland Local Plan 2015 confirms that the Local Planning Authority maintain a list of Local Important Heritage Assets. Policy ENV4, along with the NPPF, provide a robust framework for the consideration of planning applications affecting the non-designated heritage assets.</p> <p>In light of the above, the proposed policy does not appear have any purpose and is therefore superfluous. Furthermore, no evidence has been provided to demonstrate that its introduction is justified.</p> <p>Policy HT1 should be removed from the BANP.</p> <p><u>L1 Green Corridors, Footpaths, Surrounding Hills &amp; Skylines</u></p>
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	<p>Existing Local Plan policies, along with the NPPF, provide a robust planning policy framework for the consideration of planning applications in areas of open countryside and/or within protected landscapes such as the AONB.</p> <p>By seeking to introduce an unjustified set of more restrictive policies, the BANP is effectively revising the existing strategic planning policy framework and attempting to add a further layer of planning policy where one is not required. Importantly, this has been proposed without robust evidence and/or appropriate justification.</p> <p>Furthermore, the Local Planning Authority will use the development management process to determine any requirements in respect of the submission of technical evidence to support planning applications. This will be decided on a case by case basis. The proposal in Bullet Point 3 to require the submission of an LVIA is inflexible, unclear and potentially onerous.</p> <p>To address this Policy L1 should be omitted from the BANP.</p> <p><u>L2 Biodiversity</u></p> <p>Map 7 incorrectly identifies an area to the west of Bridport at Dogholes as woodland. As a consequence of this error, the land in question has been incorrectly further identified as a ‘wildlife corridor and priority habitat’. To address the identified error, land east of Bridport at Dogholes should be omitted from Map 7.</p> <p>It is unclear whether the wildlife corridors and priority habitats identified in Maps 6, 7 and 8 are existing designations, or whether they include proposed designations. If it is the case that the BANP is proposing the designation of new corridors and habitats this must be supported by evidence. No such evidence is provided within the published evidence base.</p> <p>To address this Policy L2 would need to be removed from the BANP.</p> <p><u>L3 Local Green Spaces &amp; L4 Local Green Spaces (Reasons for Designation)</u></p> <p>Proposed Local Green Space U ‘Watton Hill’ is within the ownership of my client.</p> <p>The following document is listed in the BANP evidence base: <i>The Assessment of areas within the 5 parishes for Local Green Space Designation. Produced by the BANP Environment and Heritage Working Group (2017)</i>. We have reviewed this document and as explained below, dispute its findings on a number of counts.</p> <p>It is incumbent upon the policy maker to demonstrate that the area in question is demonstrably more special to the community than other areas of countryside. Local Green Space should therefore be considered to be an exceptional designation. The NPPF is very clear that such a designation is not appropriate for most green spaces. Furthermore, given that under NPPF Paragraph 101, Local Green Space is equivalent to Green Belt, it can be concluded that the same very special and/or exceptional circumstances requirement for designation should apply. No evidence or explanation that meets the requirements above is provided in the BANP.</p> <p>A neighbourhood plan can only include Local Green Space where the plan has made sufficient provision for new homes. There is no confirmation in the BANP that ‘sufficient homes’ are being provided for within the proposed plan period. It is clear that</p>
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the unjustified designation of the proposed Local Green Space at Watton Hill, along with the other 21 sites proposed by the BANP, could undermine future plan making and in particular the need to meet identified housing development needs.

The NPPG also advises that where land is already protected by designations including an AONB then: *...consideration should be given to whether any additional local benefit would be gained by designation as Local Green Space.* (Paragraph: 011 Reference ID: 37-011-20140306)

The NPPG also confirms that: *...blanket designation of open countryside adjacent to settlements will not be appropriate. In particular, designation should not be proposed as a 'back door' way to try to achieve what would amount to a new area of Green Belt by another name.* (Paragraph: 015 Reference ID: 37-015-20140306)

The BANP (Page 67) includes a table which suggests that 'Watton Hill' accords with the criteria set out by NPPF Paragraph 100(b). Our response each of these criteria is as follows:

- Beauty – There is nothing which distinguishes the site in terms of its beauty from many others on the outskirts of Bridport, or in the surrounding area. The BANP assessment provides no evidence to demonstrate that the site is demonstrably special and holds a particular local significance.
- History – The site is not of any historic or archaeological significance. Reference to historic value in the BANP assessment refers to findings outside of the site.
- Recreation – The site is not in recreation use. Contrary to the BANP assessment, my client confirms that no access is permitted to the wood referred to, or the fields except via footpaths.
- Tranquility – The site is adjacent to the urban area of Bridport. It is therefore subject to traffic noise and other disturbances, so cannot be considered tranquil. The BANP assessment refers to the site offering a 'sense of spaciousness'. Spaciousness is not tranquillity.
- Wildlife – The site is in agricultural use and there is no evidence that it is of value in terms of biodiversity.

We conclude that there is no compelling evidence to demonstrate that the proposed designation of Watton Hill meets the requirements set out by national policy which requires that the area in question be 'demonstrably special to the local community and holds a particular local significance'.

The Local Green Assessment correctly confirms that the Watton Hill site is not subject to a planning application. It should though be noted that the area is however part of a larger proposed development site that has been subject to positive pre-application discussions with officers and Councillors.

Finally, NPPF Paragraph 100 (c) confirms that Local Green Space cannot be an extensive tract of land. The Watton Hill site is clearly an extensive tract of land, measuring approximately 6.7 hectares. This view accords with the findings of a number of Independent Examiners in relation to proposed Local Green Spaces.

Whilst Local Green Space does not need to be in public ownership my client has confirmed that no contact has been made with

	<p>them to discuss the proposals to designate land within their ownership.</p> <p>To address this reference to land at Watton Hill should be removed from Policy L4.</p> <p><u>L4 Green Gaps (Anti-Coalescence Measures)</u></p> <p>Proposed Green Gaps at land North of B3162 and land either side of Pymore Lane are within the ownership of my client.</p> <p>The implications of Policy L4 in spatial planning terms are very clear. The policy is going beyond a presumption against development in the areas identified by the policy and is seeking to prevent all future development. The policy, the practical effects of which is akin to a Green Belt or green wedge, is an attempt to establish, without justification, additional policy control over and above that already provided by existing development plan policies covering proposals in the countryside.</p> <p>The published evidence base does not include a detailed landscape or visual technical assessment of the areas proposed for ‘protection’ by policy L4.</p> <p>The analysis provided in support of the BANP does not meet this requirement. For example, it does not include a comprehensive baseline report to identify the landscape and visual characteristics of these areas relevant to the settlements in question. Also, there is no assessment of the potential change to landscape character or visual amenity as a result of development that would justify why these areas cannot be developed. There is no analysis available to explain why the areas referred to are considered to be particularly important, or how and why they define the setting and character of the settlements.</p> <p>The policy is not supported by evidence as required by national policy and guidance. The NPPG also advises that blanket policies restricting housing development in some settlements and preventing other settlements from expanding should be avoided, unless they are supported by robust evidence. (Paragraph: 001 Reference ID: 50-001-20160519)</p> <p>Furthermore, the NPPG advises that: <i>...blanket designation of open countryside adjacent to settlements will not be appropriate. In particular, designation should not be proposed as a ‘back door’ way to try to achieve what would amount to a new area of Green Belt by another name.</i>(Paragraph: 015 Reference ID: 37-015-20140306)</p> <p>The proposed green gaps are in our opinion, clear examples of blanket policies restricting Housing development and preventing settlements from expanding.</p> <p>Land North of B3162 covers an area of approximately 36.7 hectares and land either side of Pymore Lane covers an area of approximately 31.9 hectares. These are very clearly, extensive tracts of land.</p> <p>In light of its purpose and intended outcomes, Policy L4 is clearly an example of a policy that is trying to deliver a strategic objective. NPPF Paragraph 18 advises that neighbourhood plans must only contain non-strategic policies.</p> <p>Finally, my client has confirmed that they have not been directly involved in the process to prepare the BANP. Crucially, they have not been specifically consulted on the proposals to impose a significant restriction on land within their ownership. This is</p>
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	<p>contrary to the NPPG which confirms that land owners and the development industry should be involved in preparing a neighbourhood plan. (Paragraph: 048 Reference ID: 41-048-20140306)</p> <p>By seeking to introduce a strategic policy, the BANP cannot be considered to be in general conformity with the strategic policies contained in the development plan for the area.</p> <p>To address this reference to land North of B3162 should be removed from Policy L4.</p> <p>As an alternative and more positive approach, the BANP could explore the potential to deliver green spaces which serve the purpose of preventing coalescence as part of wider allocations for development.</p> <p><u>COB1 Development in the Centre of Bridport</u></p> <p>Dorset Council monitors air quality. The Council’s website confirms that Bridport does not have an Air Quality Management Area. Whilst the Council have identified air quality issues at East Road, Bridport, this is not within the town centre. The practical effect of criterion (e) of Policy COB1 would be to prevent any further development that could not demonstrate that it did not have an impact on air quality. There is no evidence provided in support of the BANP for such an approach. Whilst it may be possible to demonstrate that a proposal would not cause deterioration in air quality, and as such meet the requirements set by the policy, the process of doing so would entail additional cost to the developer. Contrary to national policy and guidance, criterion (e) of Policy COB1 is not supported by evidence and may impact negatively on the delivery of development in the area to which it relates.</p> <p>To address this issues criterion (e) of Policy COB1 should be removed from the BANP.</p> <p><u>COB2 Ropewalks Car Park &amp; Bus Station Car Park</u></p> <p>Bullet 1, criterion (a) does not define ‘walking distance’ and as a consequence it is not clear or unambiguous and does not meet the requirements set out in national guidance. Concerns related to the town centre and the provision of parking is set out elsewhere in this representation. The lack of clarity in the proposed policy may result in being interpreted by decision makers in a manner that does not result in the protection of vehicle parking in the town centre that has already been identified as being crucial to the ongoing vitality of Bridport and the wider area.</p> <p>To address this Policy COB2 should be revised to address the identified issues with clarity to define walking distance.</p> <p><u>COB3 Small Business Support</u></p> <p>Whilst it is appropriate to support small businesses in the town centre, the proposed policy may have the unintended consequence of being so in flexible as to in fact restrict the future expansion of those successful businesses that it is seeking to protect. Policy must be considered thoroughly and reasonably assessed for potential consequences on both existing and potential future town centre business. The outcome of that evidence should then be used to underpin the detailed policy. Whilst some form of restrictive policy may well be appropriate, this must be informed by analysis and robust evidence so as to</p>
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	<p>ensure that unintended consequences are avoided.</p> <p>In its current form Policy COB3, Bullet 1 should be removed from the BANP. Alternatively, appropriate analysis of the issues and options for addressing these through the planning system, including an assessment of potential impacts, should be completed and used to underpin a policy that reflects that evidence.</p> <p><u>D1 Harmonising with the Site, D3 Internal Transport Links, D4 Mix of Uses, D5 Efficient Use of Land, D6 Definition of Streets and Spaces, D7 Creation of Secure Areas, D8 Contributing to the Local Character, D9 High Quality Architecture and D10 Environmental Performance</u></p> <p>The proposed design related policies are not supported by evidence. There is no rationale provided to justify the various requirements set out by this suite of policies. There is also no reasoned assessment provided of the possible consequences of implementation of the policies, which amount to a very prescriptive design guide, on new development. Examples of issues with the policies include:</p> <ul style="list-style-type: none"> <li>• A lack of allowance for innovation and change;</li> <li>• A failure to acknowledge that what is described as ‘wasted land’ can in fact be of great benefit for biodiversity and simple as space;</li> <li>• A range of very prescriptive requirements in terms of security;</li> <li>• A range prescriptive and in flexible requirements in terms of design, including building heights; and</li> <li>• A failure to recognise that the vast majority of the area is rural and agricultural in nature.</li> </ul> <p>The suite of design related policies are effectively a design guide. They would be better presented as a guide and consulted on and further developed as such. As a formal design guide the policies could be a material consideration in the planning process. In their current form, when read together the policies are in places too vague and in places too prescriptive and restrictive to be considered implementable planning policies. As a consequence policies D1, D3, D4, D5, D6, D7, D8, D9 and D10 should be removed from the BANP.</p> <p><u>AM2 Managing Vehicular Traffic</u></p> <p>The BANP acknowledges the importance of the private car for many people who visit the town. This includes tourists and those who travel to Bridport from the extensive rural hinterland that it serves. There is no indication that this situation is expected to change for the foreseeable future.</p> <p>As explained in comments relating to Objectives 17 and 19, vehicle movements and their accessibility are key to the current and ongoing success of the town. The issue here is not one of traffic itself, but one of pollution via noise and vehicle emissions. The policy could therefore be revised to offer encouragement for vehicles with lower emissions and lower levels of noise.</p> <p>Revised wording for Criterion (c) is supplied.</p>
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	<p><u>AM7 Transport Hub Proposal</u></p> <p>The provision of parking is key to the ongoing success of Bridport town centre. In view of this, any proposal to redevelop Bridport Bus Station should therefore take this specific issue into account. Whilst the detail of any proposal will be examined through the planning application process, the minor changes to the policy proposed will ensure that the matter of vehicle parking is given due consideration at that time.</p> <p>Revised wording for Bullet 1 and Criteria 2(c) is supplied.</p> <p><u>EE1 Protection of Existing Employment Sites.</u></p> <p>Crepe Farm is identified in the Local Plan as a ‘Key Employment Site’. As a consequence, any proposal for redevelopment will be subject to the provisions of Local Plan Policy ECON2 - Protection of Key Employment Sites.</p> <p>In the view of the nature of the activity within the site, which is mixed use providing agricultural, employment and residential uses, the Symondsby Estate consider this designation is inappropriate.</p> <p>Furthermore, it was imposed without any engagement or consultation with the Estate and will be challenged through the review of the Local Plan in due course. We can confirm that an objection in this regard has been raised through the emerging development plan.</p> <p>The Crepe Farm Business Park annotation on Map 3 should be revised to reflect the extent of the employment uses on the site. Given that the designation of Crepe Farm as a key employment site is currently subject to dispute, any reference to it should be removed from the BANP.</p> <p><u>H5 Retirement Living Development</u></p> <p>The BANP recognises the need for specialist homes for the elderly. The Plan also acknowledges that such specialist homes should be located within easy access of Bridport town centre.</p> <p>Policy H5 is however too restrictive in terms of the criteria it seeks to impose related to accessibility. Additional flexibility could be included so as to maximise the potential for this particular form of development.</p> <p>Whilst the detail of any proposal will be examined through the planning application process, the minor changes to the policy proposed will ensure that opportunities within suitable locations that are able to deliver this form of development are given due consideration.</p> <p>Revised wording for Criterion (b) supplied.</p> <p><u>H8 Community-Led Housing.</u></p> <p>As explained elsewhere, Symondsby Estate consider the inclusion of Policy L4 Green Gaps to be inappropriate and have</p>
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		<p>raised an objection to the policy.</p> <p>Notwithstanding this position, if Green Gaps are included in the final version of the BANP, these areas should be identified as potential locations for community led housing schemes.</p> <p>Whilst the detail of any proposal will be examined through the planning application process, this change to the policy will ensure that opportunities within suitable locations that are able to deliver this form of development are given due consideration. For example, on sites that are within close proximity to the settlement and in sustainable locations.</p> <p>The additional flexibility within the policy will support delivery of this potentially important source of housing by increasing the number of potential sites for consideration.</p> <p>Revised wording for Bullet 1 is supplied.</p> <p><u>Request for a Hearing</u></p> <p>The examiner has the power to call a public hearing to examine a key issue in more depth and/or to ensure a person has a fair chance to present a case. The BANP contains a number of policies that will impact significantly and potentially detrimentally on my client’s interest. This, along with the fact that with the BANP does not in our opinion meet the requirements of the Basic Conditions on a number of counts, is an example of a case when there are key issues that need to be explored thoroughly. The BANP has also been prepared without any direct engagement or consultation with my client or the landowner. There are in our opinion clear grounds for the examiner to call a public hearing and we request that this option is exercised.</p>
16	Theatres Trust	<p>The boundary covered by this Neighbourhood Plan includes Bridport Arts Centre, Electric Palace and Lyric Theatre. We therefore have great interest in this area.</p> <p><u>General content and preparation</u></p> <p>We have no objections to the way in which this Neighbourhood Plan has been prepared and consulted on, which as far as we can ascertain have met the required procedures.</p> <p><u>Neighbourhood Plan Objectives</u></p> <p>We are supportive of the objectives of this plan. In particular we welcome Objective 8 which seeks to protect the valued community facilities within the area including specific reference to cultural facilities which would include the theatres and performance venues referenced above. The promotion and protection of those venues, as well as others such as community halls and pubs which may support engagement in the arts for local people, also contributes to achieving other objectives and in particular numbers 6, 9, 10, 11 and 12. This is because access to the arts helps attract and retain people within the local area, provides opportunities for participation and bringing people together which reduces isolation, and draws people into town centres which increases footfall and supports other businesses.</p>

		<p><u>Policy CF1 – Protection of Existing Community Infrastructure</u></p> <p>We welcome the strong protection afforded to existing uses, for which the Arts Centre, Electric Palace and Lyric are explicitly referenced as including, from unnecessary loss. This reflects at a local level the need to guard against loss articulated through paragraph 92 of the NPPF (2019).</p> <p><u>Policy CF2 – New Community Services &amp; Facilities</u></p> <p>We are supportive of what appears to be the purpose of this policy in supporting new facilities and the upgrading of existing ones although it states “utility infrastructure” which appears to be an error, rather than ‘community infrastructure’ or ‘community facilities’. This must be clarified.</p>
17	LRM Planning Ltd on behalf of Watton Hill Trust	<p><u>Meeting Housing Needs</u></p> <p>The Basic Conditions Statement (Final v.6 May 2019) confirms that the current development plan (West Dorset, Weymouth &amp; Portland Local Plan 2015) plans for the 1,474 new homes in the Neighbourhood Area to 2031. The BANP covers the period to 2036. The Plan does not propose any additional new housing sites to meet this need during the five year period beyond the life of the current development plan.</p> <p>Basic Condition (d) requires that neighbourhood plans contribute to the achievement of sustainable development. In terms of its social objective, sustainable development includes ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations.</p> <p>Paragraph 60 of the NPPF confirms that to determine the minimum number of homes needed, policies should be based on a local housing needs assessment, conducted using the standard method in national planning guidance. There is no indication provided within the BANP, or accompanying evidence, that there are exceptional circumstances which justify an alternative approach.</p> <p>The BANP evidence includes a Housing Needs Assessment (Version 1, March 2019). This report states a need of 1,654 for the period to 2036, or 83 dwellings per year.</p> <p>Whilst this report is included in the evidence base, the BANP itself relies on housing need as set out in the West Dorset, Weymouth &amp; Portland Local Plan 2015, which was calculated prior to the introduction of the Standard Methodology. The BANP does not plan to meet the additional need for the five year period beyond the existing development plan. Thus it does not ensure that a sufficient number and range of homes can be provided to meet the needs of present and future generations across the proposed period of 2036. For these reasons the BANP does not meet the requirements of Paragraph 60 of the NPPF.</p> <p>The BANP does not therefore reflect the latest national policies and advice issued by the Secretary of Estate and does not accord with Basic Condition (a). In addition, by not ensuring that the housing needs of the community are being met, the BANP could be considered to fail to meet the social objective of the achieving sustainable development. As a result, the BANP may</p>

	<p>not meet the requirements of Basic Condition (d).</p> <p>As a final point, of its objectives, the BANP contains two (Objectives 5 &amp; 6) which specifically relate to meeting the housing needs of the community. By not planning to meet the objectively assessed housing needs of the whole community across the entire period of the plan, it must be questionable whether the BANP will be able to meet its own objectives of maximising the provision of affordable housing and supporting the delivery of balanced communities.</p> <p>We are aware that early in the BANP process a ‘call for sites’ was issued to which representations were made by my client. There has been no feedback in response to this, or any further engagement. The BANP does not contain a proposal for housing development, with at least some potential sites now seemingly proposed as extensive and unjustified Green Gaps.</p> <p><u>L3 Local Green Spaces &amp; L4 Local Green Spaces (Reasons for Designation)</u></p> <p>Proposed Local Green Space U ‘Watton Hill’ is within the ownership of my client.</p> <p>The following document is listed in the BANP evidence base: <i>The Assessment of areas within the 5 parishes for Local Green Space Designation. Produced by the BANP Environment and Heritage Working Group (2017)</i> We have reviewed this document and as explained below, dispute its findings on a number of counts.</p> <p>It is incumbent upon the policy maker to demonstrate that the area in question is demonstrably more special to the community than other areas of countryside. Local Green Space should therefore be considered to be an exceptional designation. The NPPF is very clear that such a designation is not appropriate for most green spaces. Furthermore, given that under NPPF Paragraph 101, Local Green Space is equivalent to Green Belt, it can be concluded that the same very special and/or exceptional circumstances requirement for designation should apply. No evidence or explanation that meets the requirements above is provided in the BANP.</p> <p>A neighbourhood plan can only include Local Green Space where the plan has made sufficient provision for new homes. There is no confirmation in the BANP that ‘sufficient homes’ are being provided for within the proposed plan period. It is clear that the unjustified designation of the proposed Local Green Space at Watton Hill, along with the other 21 sites proposed by the BANP, could undermine future plan making and in particular the need to meet identified housing development needs.</p> <p>The NPPG also advises that where land is already protected by designations including an AONB then: <i>...consideration should be given to whether any additional local benefit would be gained by designation as Local Green Space.</i> (Paragraph: 011 Reference ID: 37-011-20140306)</p> <p>The NPPG also confirms that: <i>...blanket designation of open countryside adjacent to settlements will not be appropriate. In particular, designation should not be proposed as a ‘back door’ way to try to achieve what would amount to a new area of Green Belt by another name.</i> (Paragraph: 015 Reference ID: 37-015-20140306)</p> <p>The BANP (Page 67) includes a table which suggests that ‘Watton Hill’ accords with the criteria set out by NPPF Paragraph 100(b). Our response to each of these criteria is as follows:</p>
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- Beauty – There is nothing which distinguishes the site in terms of its beauty from many others on the out skirts of Birdport, or in the surrounding area. The BANP assessment provides no evidence to demonstrate that the site is demonstrably special and holds a particular local significance.
- History – The site is not of any historic or archaeological significance. Reference to historic value in the BANP assessment refers to findings outside of the site.
- Recreation – The site is not in recreation use. Contrary to the BANP assessment, my client confirms that no access is permitted to the wood referred to, or the fields except via footpaths.
- Tranquility – The site is adjacent to the urban area of Bridport. It is therefore subject to traffic noise and other disturbances, so cannot be considered tranquil. The BANP assessment refers to the site offering a ‘sense of spaciousness’. Spaciousness is not tranquillity.
- Wildlife – The site is in agricultural use and there is no evidence that it is of value in terms of biodiversity.

We conclude that there is no compelling evidence to demonstrate that the proposed designation of Watton Hill meets the requirements set out by national policy which requires that the area in question be ‘demonstrably special to the local community and holds a particular local significance’.

The Local Green Assessment correctly confirms that the Watton Hill site is not subject to a planning application. It should though be noted that the area is however part of a larger proposed development site that has been subject to positive pre-application discussions with officers and Councillors.

Finally, NPPF Paragraph 100 (c) confirms that Local Green Space cannot be an extensive tract of land. The Watton Hill site is clearly an extensive tract of land, measuring approximately 6.7 hectares. This view accords with the findings of a number of Independent Examiners in relation to proposed Local Green Spaces.

Whilst Local Green Space does not need to be in public ownership my client has confirmed that no contact has been made with them to discuss the proposals to designate land within their ownership.

To address this reference to land at Watton Hill should be removed from Policy L4.

#### L4 Green Gaps (Anti- Coalescence Measures)

Proposed Green Gap at land either side of Pymore Lane is within the ownership of my client.

The implications of Policy L4 in spatial planning terms are very clear. The policy is going beyond a presumption against development in the areas identified by the policy and is seeking to prevent all future development. The policy, the practical effects of which is akin to a Green Belt or green wedge, is an attempt to establish, without justification, additional policy control over and above that already provided by existing development plan policies covering proposals in the countryside.

The published evidence base does not include a detailed landscape or visual technical assessment of the areas proposed for ‘protection’ by policy L4.

	<p>The analysis provided in support of the BANP does not meet this requirement. For example, it does not include a comprehensive base line report to identify the landscape and visual characteristics of these areas relevant to the settlements in question. Also, there is no assessment of the potential change to landscape character or visual amenity as a result of development that would justify why these areas cannot be developed. There is no analysis available to explain why the areas referred to are considered to be particularly important, or how and why they define the setting and character of the settlements.</p> <p>The policy is not supported by evidence as required by national policy and guidance. The NPPG also advises that blanket policies restricting housing development in some settlements and preventing other settlements from expanding should be avoided, unless they are supported by robust evidence. (Paragraph:001 Reference ID: 50-001-20160519)</p> <p>Furthermore, the NPPG advises that <i>...blanket designation of open countryside adjacent to settlements will not be appropriate. In particular, designation should not be proposed as a 'back door' way to try to achieve what would amount to a new area of Green Belt by another name.</i> (Paragraph: 015 Reference ID: 37-015-20140306)</p> <p>The proposed green gaps are in our opinion, clear examples of blanket policies restricting housing development and preventing settlements from expanding.</p> <p>Land either side of Pymore Lane covers an area of approximately 31.9 hectares. This is very clearly, an extensive tract of land.</p> <p>In light of its purpose and intended outcomes, Policy L4 is clearly an example of a policy that is trying to deliver a strategic objective. NPPF Paragraph 18 advises that neighbourhood plans must only contain non-strategic policies.</p> <p>Finally, my client has confirmed that they have not been directly involved in the process to prepare the BANP. Crucially, they have not been specifically consulted on the proposals to impose a significant restriction on land within their ownership. This is contrary to the NPPG which confirms that landowners and the development industry should be involved in preparing a neighbourhood plan.(Paragraph: 048ReferenceID: 41-048-20140306)</p> <p>By seeking to introduce a strategic policy, the BANP cannot be considered to be in general conformity with the strategic policies contained in the development plan for the area. To address this reference to land either side of Pymore Lane should be removed from Policy L4. As an alternative and more positive approach, the BANP could explore the potential to deliver green spaces which serve the purpose of preventing coalescence as part of wider allocations for development.</p> <p><u>D1 Harmonising with the Site, D3 InternalTransportLinks,D4 Mix of Uses,D5Efficient Use of Land, D6 Definition of Streets and Spaces, D7Creation of Secure Areas, D8 Contributing to the Local Character, D9 High Quality Architecture and D10 Environmental Performance</u></p> <p>The proposed design related policies are not supported by evidence. There is no rationale provided to justify the various requirements set out by this suite of policies. There is also no reasoned assessment provided of the possible consequences of implementation of the policies, which amount to a very prescriptive design guide, on new development. Examples of issues</p>
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	<p>with the policies include:</p> <ul style="list-style-type: none"> <li>• A lack of allowance for innovation and change;</li> <li>• A failure to acknowledge that what is described as ‘wasted land’ can in fact be of great benefit for biodiversity and simple as space;</li> <li>• A range of very prescriptive requirements in terms of security;</li> <li>• A range prescriptive and in flexible requirements in terms of design, including building heights; and</li> <li>• A failure to recognise that the vast majority of the area is rural and agricultural in nature.</li> </ul> <p>The suite of design related policies are effectively a design guide. They would be better presented as a guide and consulted on and further</p> <p>Developed as such. As a formal design guide the policies could be a material consideration in the planning process. In their current form, when read together the policies are in places too vague and in places too prescriptive and restrictive to be considered implementable planning policies. As a consequence policies D1, D3, D4, D5, D6, D7, D8, D9 and D10 should be removed from the BANP.</p> <p><u>H8 Community-Led Housing</u></p> <p>As explained elsewhere, Watton Hill Trust consider the inclusion of Policy L4 Green Gaps to be inappropriate and have raised an objection to the policy.</p> <p>Notwithstanding this position, if Green Gaps are included in the final version of the BANP, these areas should be identified as potential locations for community led housing schemes.</p> <p>Whilst the detail of any proposal will be examined through the planning application process, this change to the policy will ensure that opportunities within suitable locations that are able to deliver this form of development are given due consideration. For example, on sites that are within close proximity to the settlement and in sustainable locations.</p> <p>The additional flexibility within the policy will support delivery of this potentially important source of housing by increasing the number of potential sites for consideration.</p> <p>Revised wording for Bullet 1 is supplied.</p> <p><u>Request for a Hearing</u></p> <p>The examiner has the power to call a public hearing to examine a key issue in more depth and/or to ensure a person has a fair chance to present a case. The BANP contains a number of policies that will impact significantly and potentially detrimentally on my client’s interest. This, along with the fact that with the BANP does not in our opinion meet the requirements of the Basic Conditions on a number of counts, is an example of a case when there are key issues that need to be explored thoroughly. The BANP has also been prepared without any direct engagement or consultation with my client or the landowner. There are in our</p>
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		opinion clear grounds for the examiner to call a public hearing and we request that this option is exercised.
18	Wessex Water	<p>Wessex Water provide water and sewerage services and have existing operational assets in the plan area. It is likely that within the plan period we will need to undertake maintenance and improvements works to our existing assets. Such works are essential to deliver a reliable service and meet environmental requirements. We may also need to construct new above ground infrastructure during the plan period. As a statutory undertaker, some works are permitted development, but certain works will require us to seek express planning consent from the Local Planning Authority.</p> <p><u>Policy CC1 Publicising Carbon Footprint</u></p> <p>The proposed policy will require each planning application to be accompanied by a statement outlining the anticipated carbon emissions of proposed development. No detail is provided on what calculation methodologies would be acceptable and this should be outlined for clarity.</p> <p><u>Policy CC2 Energy and Carbon Emissions</u></p> <p>The proposed policy identifies that non-residential developments should meet BREEAM “excellent”. The BREEAM methodology is not suitable for assessing infrastructure development. The policy should make clear that infrastructure development is exempt from the requirements.</p> <p><u>Policy L4 Green Gaps (Anti-Coalascence Measures)</u></p> <p>Policy L4 identifies defined gaps where development proposals will be resisted. There are often constraints on the location of infrastructure development (for example because of existing below ground infrastructure and levels) which would necessitate a countryside location and there should be greater recognition of this within the plan. Existing Wessex Water Mount Lane Sewage Pumping Station (SPS) 15674 falls within a proposed green gap. Works to the SPS may be required during the plan period. The proposed policy should acknowledge the requirement for essential utility infrastructure in the same manner as Policy L3 Local Green Spaces.</p>