

Dorset Council
Planning Policy
South Walks House
South Walks Road
Dorchester
DT1 1UZ

Date: 16 October 2020

Our ref: 04051/08/NT/HAR/18958505v1

Your ref:

Dear Sir or Madam

Chickerell Neighbourhood Plan Submission Version: Representations on behalf of Bourne Leisure

On behalf of our client, Bourne Leisure Limited (“Bourne Leisure”), please find below representations on the Chickerell Neighbourhood Plan Submission Version, published for comment until 16 October 2020.

Bourne Leisure operates more than 50 holiday sites in the form of holiday parks, family entertainment resorts and hotels in Great Britain and is therefore a significant contributor to the national tourist economy, as well as local visitor economies. By way of background, in Chickerell Bourne Leisure operates Littlesea Holiday Park under its Haven brand.

We provide comments on the following elements of the emerging Neighbourhood Plan within the enclosed representation form:

- 1 Policy CNP 9 (Fleet and Heritage Coast);
- 2 Policy CP 12 (Enhancing Biodiversity);
- 3 Other comments:
 - a Vision;
 - b Objectives;
 - c Paragraph 8.2; and,
 - d Paragraph 8.3.

We trust that these representations are clear and will assist in the finalisation of the emerging Neighbourhood Plan. Please do not hesitate to contact me should you require clarification on any of the points made. We would also be grateful if you would continue to keep us informed of progress on the development of the emerging Neighbourhood Plan.

Yours faithfully





Helen Ashby-Ridgway
Associate Director

Copy Bourne Leisure

Part B – Representation

1. **To which document does the comment relate?** *Please tick one box only.*

✓	Submission Plan
	Consultation Statement
	Basic Conditions Statement
	Other – please specify:-

2. **To which part of the document does the comment relate?** *Please identify the text that you are commenting on, where appropriate.*

	<i>Location of Text</i>
Whole document	
Section	Vision and Objectives
Policy	
Page	
Appendix	

3. **Do you wish to?** *Please tick one box only.*

	Support
	Object
✓	Make an observation

4. **Please use the box below to give reasons for your support or objection, or to make your observation.**

In our February 2020 representations we highlighted the importance of Littlesea Holiday Park as an important employer in Chickerell and as such this should be recognised through references to the tourism sector in the Vision and Objectives.

The Consultation Statement states:

“The penultimate objective is “To support the local economy through its existing businesses, by encouraging new enterprises and facilities which enhance commercial effectiveness and employment opportunities”. The tourist industry is mentioned under the fourth bullet point (in reference to the importance of protecting the beauty of our coast).

On this basis references to tourism are considered sufficient and it would not be appropriate to major on this sector as a key driver for the plan. Whilst the 2011 Census shows that the accommodation and food services accounts for about 14% of jobs in Weymouth and Portland, it is not such a major factor (accounting for about 6% of jobs) in the plan area.”

There are three points to make:

Firstly, the reference to the tourism industry with respect to the coast is not one that supports the tourism industry. The reference instead is one that highlights the importance of the coast to the sector. The coast is clearly important to the tourism sector. However, simple reference to the tourism sector by conflating the two points cannot replace reference to the importance of the

tourism industry through support for further investment.

Secondly, the Consultation States that the accommodation and food sector only accounts for about 6% of jobs in the Parish. We assume this figure has been taken from the 2011 census, which concludes that 6.4% of those resident in Chickerell Parish are employed in this category of jobs. This is different to how many jobs there are in Chickerell in this sector and the proportion of accommodation and food jobs as a proportion of total jobs available in the Parish.

The best source of data on jobs in a local area is the Business Register and Employment Survey. It is not a complete record of employment levels but is the most reliable data set that we have. The most recent data is for 2018. This data set is provided for the Chickerell ward as the data not available at Parish level - although much of the area is the same. The data shows that, of the 5,000 jobs in the ward, 8% are in the accommodation and food sector and 2% in arts, entertainment and recreation – so 10% of employment in tourism and leisure related activities. At one in ten jobs, this is not insignificant.

Thirdly, whilst the Consultation Statement dismisses the relationship between the Parish between Weymouth and Portland to Chickerell, it is undeniable, due to proximity and the reliance of jobs, services, and facilities for residents in the Parish.

We note that the Consultation Statement says the references to tourism in the vision and objectives are sufficient but that has been based on a misunderstanding of the role of tourism, and specifically Littlesea Holiday Park, is to Chickerell, and to the wider area. That said, we welcome the indirect suggestion in the Consultation Statement that Littlesea Holiday Park would fall within the category of 'existing businesses' and as such the Neighbourhood Plan will encourage proposals that provide new enterprises and facilities which enhance commercial effectiveness and employment opportunities. The remaining policies through the emerging Plan should be consistent with this position.

Continue on a separate sheet if necessary

5. Please give details of any suggested modifications in the box below.

N/A

Continue on a separate sheet if necessary

Part B – Representation

1. To which document does the comment relate? Please tick one box only.

<input checked="" type="checkbox"/>	Submission Plan
<input type="checkbox"/>	Consultation Statement
<input type="checkbox"/>	Basic Conditions Statement
<input type="checkbox"/>	Other – please specify:-

2. To which part of the document does the comment relate? Please identify the text that you are commenting on, where appropriate.

	<i>Location of Text</i>
Whole document	
Section	Paragraph 8.2
Policy	
Page	
Appendix	

3. Do you wish to? Please tick one box only.

	Support
✓	Object
	Make an observation

4. Please use the box below to give reasons for your support or objection, or to make your observation.

Reflecting our representations earlier this year, Bourne Leisure welcomes the inclusion of a reference to the parking concerns around Lynch Lane and also welcomes the text stating,

“The parking provision for any future development proposals at the Estate, including both extensions and intensification of uses, should therefore be carefully scrutinised (rather than simply adhering to the generic standards) to ensure that this situation is not exacerbated, and support will be given to proposals that may remedy this situation (for example through the provision of additional parking or appropriate car park management and travel plan measures).”

However, Lichfields suggests that this would be given appropriate weight in the decision-making process if it was set out as a policy.

Continue on a separate sheet if necessary

5. Please give details of any suggested modifications in the box below.

In addition to the new text, the emerging Neighbourhood Plan should include the following policy:

“Any development that gives rise to an increased demand in parking provision must clearly demonstrate that it will not rely on on-street car parking and it will not displace existing parking arrangements. Support will be given for additional parking provision.”

Part B – Representation

1. **To which document does the comment relate?** *Please tick one box only.*

<input type="checkbox"/>	Submission Plan
<input type="checkbox"/>	Consultation Statement
<input type="checkbox"/>	Basic Conditions Statement
<input type="checkbox"/>	Other – please specify:-

2. **To which part of the document does the comment relate?** *Please identify the text that you are commenting on, where appropriate.*

	<i>Location of Text</i>
Whole document	
Section	Paragraph 8.3
Policy	
Page	
Appendix	

3. **Do you wish to?** *Please tick one box only.*

<input checked="" type="checkbox"/>	Support
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	Object
	Make an observation

4. Please use the box below to give reasons for your support or objection, or to make your observation.

The emerging Neighbourhood Plan states,

*“8.3 Off Lynch Lane is the **Littlesea Caravan site**, within the Heritage Coast (the designation extends up to the edge of the Lynch Lane Estate). Based on the Local Plan policies, further caravan and camping in the Heritage Coast is unlikely to be supported.”*

Reflecting our representations earlier this year, we welcome agreement in the Consultation Statement that the previous text was inconsistent with the adopted Local Plan and that there may be opportunities to improve the visual impact of the site.

Continue on a separate sheet if necessary

5. Please give details of any suggested modifications in the box below.

N/A

Part B – Representation

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	Consultation Statement
	Basic Conditions Statement
	Other – please specify:-

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	<i>Location of Text</i>
Whole document	
Section	
Policy	CNP12
Page	
Appendix	

3. Do you wish to? Please tick one box only.

	Support
✓	Object
	Make an observation

4. Please use the box below to give reasons for your support or objection, or to make your observation.

In our earlier representations, we raised concerns that the emerging Neighbourhood Plan was including a policy requirement that was 1) covered by the Council's validation requirements and 2) would not be proportionate to the development proposed. The Consultation Statement responds,

"The policy is considered proportionate (for example it would not be triggered on previously developed sites unless there were features of obvious interest) and is supported by Natural England. The Council's validation requirements are not policy."

Bourne Leisure recognises the wider policy and legislative context for net biodiversity gain and its importance. We suggest that given that context, the Council's validation requirements are sufficient. The introduction of further requirements is unnecessary. However, if the Examiner disagrees and considers the general requirement in emerging Policy CNP 12 acceptable, we note that the extract from the Consultation Statement is incorrect. It says that the policy is proportionate as for example it is not triggered on previously developed sites unless there were features of obvious interest but draft CNP 12 states that the Policy requirements are triggered for developments on a brownfield site in excess of 0.1ha.

Continue on a separate sheet if necessary

5. Please give details of any suggested modifications in the box below.

In the context of the Council’s validation requirements and wider legislative changes, the majority of the emerging policy should be removed as follows:

Policy CNP 12. Enhancing Biodiversity

~~Development should protect and, wherever practicable, enhance biodiversity, through an understanding of the wildlife interest that may be affected by development, and the inclusion of measures that will secure an overall biodiversity gain. To demonstrate this is achieved, a certified Biodiversity Plan as required by the Dorset Biodiversity Appraisal Protocol where a development would involve any of the following:~~

- ~~– the development of a greenfield site~~
- ~~– the development of a brownfield site in excess of 0.1ha;~~
- ~~– the loss of a hedgerow (in whole or part) or the loss of a mature native tree specimen;~~
- ~~– the loss of a dry stone wall (in whole or part);~~
- ~~– works involving a rural barn (including barn conversions) or other building (rural or urban) where barn owls or bats are known, or are suspected to be present;~~
- ~~– works within 50 metres of a pond or watercourse; or~~
- ~~– works within 50 metres of the existing ecological network (as shown on Map 2) or within a wildlife corridor (as identified on maps 5 and 7)~~

~~Where developments do not trigger the need for a Biodiversity Plan, as required by the Dorset Biodiversity Appraisal Protocol, ecological enhancements, such as bat, bird or bee boxes, and native planting schemes, should be incorporated into the development if at all feasible. Site plans should clearly show the provision of any wildlife corridors and biodiversity features that are to be retained or provided as part of the layout and design of the development.~~

(Proposed amendments with strikethrough and underlined)

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	<i>Location of Text</i>
Whole document	
Section	
Policy	CNP 9
Page	
Appendix	

3. Do you wish to? Please tick one box only.

	Support
✓	Object
	Make an observation

4. Please use the box below to give reasons for your support or objection, or to make your observation.

Policy CNP9 states,

“Policy CNP 9. The Fleet and Heritage Coast

Development within the Heritage Coast to the south side of the Coast Road in Chickerell will be strictly controlled in recognition of the need to protect the landscape character and enjoyment of the Heritage Coast, including views across the area from the Coast Road (where it adjoins the Heritage Coast) and views from the South West Coast Path, and to avoid disturbance to protected species on the Fleet.

All development proposals should protect, and where appropriate enhance, the biodiversity of the countryside, the Heritage Coast and The Fleet.”

In its consultation response, Dorset Council highlights that there is insufficient evidence to justify the approach taken to development in the Heritage Coast in this policy. The Consultation Statement dismisses this response by the Council. However, the comment is consistent with our previous representations that state that development should be considered on a case by case basis, particularly where there are opportunities to provide overall benefits.

We note paragraph 9.2 which states that “there are caravan and camping sites along the Heritage Coast which benefit from existing approvals. Arguably their existence has had an adverse impact on the wildlife and tranquil coastal landscapes”. This is simply an assertion which has not been justified through evidence nor has there been any understanding of the establishment of the caravan sites in the context of the Heritage Coast designation. Statements such as this are unhelpful particularly when the caravan sites, such as Littlesea Holiday Park, have a wider role in the local economy. This also appears to be at odds with the approach now taken at Paragraph 8.3 which recognises there cannot be a blanket restriction on all development within the Heritage Coast.

Bourne Leisure recognises the importance of the Heritage Coast and its designations. There is a careful balance needed and there may be strategic opportunities through the review of the Local Plan to adopt measures to enhance the Heritage Coast. In the meantime, in order to meet the basic conditions for a neighbourhood plan as set out in the legislation, the emerging policy should be amended to be in general conformity with Policy ENV1 of the adopted Local Plan,

“Development which would harm the character, special qualities or natural beauty of the Dorset Area of Outstanding Beauty or Heritage Coast, including their characteristic landscape quality and diversity, uninterrupted panoramic views, individual landmarks, and sense of tranquillity and remoteness, will not be permitted.”

The emerging policy should also be amended to reflect the requirements throughout the NPPF to prepare plans in a positive way, which includes the need for plans to be set out with a positive strategy for the conservation and enjoyment of the historic environment (Para 185). Paragraph 192 of the NPPF states,

“In determining applications, local planning authorities should take account of:

a) the desirability of sustaining and enhancing the significance of heritage assets and putting them

*to viable uses consistent with their conservation;
b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
c) the desirability of new development making a positive contribution to local character and distinctiveness.”*

The policies that underpin the decision-making process must be consistent with the requirements for decision-making. The emerging policy falls foul of having regard to national policy. Planning Practice Guidance explains that having regard means that a neighbourhood plan must not constrain the delivery of important national objectives (Paragraph 69, ID:41-069-20140306). The approach taken in the emerging policy therefore does not meet one of the basic conditions set out in Paragraph 8(2) of Schedule 4B of the Town and Country Planning Act.

Continue on a separate sheet if necessary

5. Please give details of any suggested modifications in the box below.

The emerging policy should be amended as follows:

“Development within the Heritage Coast to the south side of the Coast Road in Chickerell will be ~~strictly controlled~~ carefully assessed in recognition of the need to protect the landscape character and enjoyment of the Heritage Coast, including views across the area from the Coast Road and views from the South West Coast Path, and to avoid disturbance to protected species on the Fleet. Where significant adverse impacts cannot be avoided, mitigation or compensation measures will be considered in the determination of applications in this area.”

(Proposed amendments with strikethrough and underlined).

Signature: _____ Date: _____
If submitting the form electronically, no signature is required.

Data protection

By signing or electronically submitting this form, you are agreeing to your comments being made publicly available. We will not display your personal data online, however we may share your details with the independent examiner for the purposes of examining the plan. Your information will be retained by the Council in line with its retention schedule and privacy policy (www.dorsetcouncil.gov.uk/privacypolicy). Your data will be destroyed when the plan becomes redundant.