



SHAFTESBURY NEIGHBOURHOOD PLAN

Regulation 16 Consultation 7 February to 20 March 2020

Response Form

The proposed Shaftesbury Neighbourhood Plan 2019 to 2031 has been submitted to Dorset Council for examination. The neighbourhood plan and all supporting documentation can be viewed on Dorset Council's website: www.dorsetcouncil.gov.uk/shaftesbury-neighbourhood-plan

Please return completed forms to:

Email: planningpolicy@dorsetcouncil.gov.uk

Post: Planning Policy, South Walks House, South Walks Road, Dorchester, DT1 1UZ

Deadline: 4pm on Friday 20 March 2020. Representations received after this date will not be accepted.

Part A – Personal Details

This part of the form must be completed by all people making representations as **anonymous comments cannot be accepted**.

**If an agent is appointed, please complete only the Title, Name and Organisation boxes to the personal details but complete the full contact details of the agent. All correspondence will be sent to the agent.*

	Personal Details	Agent's Details *
Title	Mr	N/A
First Name	Daniel	
Last Name	Ramirez	
Job Title(if relevant)	Strategic Planning Manager	
Organisation (if relevant)	Persimmon Homes (South Coast)	
Address	Parkview House, 100 Wickham Road, Fareham, Hampshire	
Postcode	PO16 7HT	
Tel. No.	██████████	
Email Address	████████████████████	

Part B – Representation

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

X	Submission Plan
	Consultation Statement
	Basic Conditions Statement
X	Other – please specify:- GI Audit

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	X (various sections)
Section	
Policy	
Page	
Appendix	

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

	Support
X	Object
	Make an observation

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

See attached letter.

Continue on a separate sheet if necessary

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

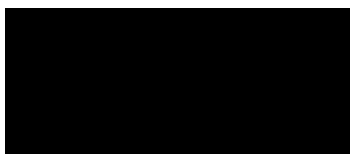
See attached letter.

Continue on a separate sheet if necessary

6. Do you wish to be notified of Dorset Council's decision to make or refuse to make the neighbourhood plan? Please tick one box only.

X	Yes
	No

Signature:



Date: 20/03/2020

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.

**Representations towards the Shaftesbury
Neighbourhood Plan 2019-31 Submission
Draft (Regulation 16) Consultation on Behalf
of Persimmon Homes (South Coast)**

Issue	Date	Status	Prepared	Checked
1	20.03.2020	Draft	DR	DB
2	20.03.2020	Final Issue	DR	SE

Introduction

Persimmon welcomes the opportunity to comment on the Shaftesbury Neighbourhood Plan 2019-31 Submission Draft (Regulation 16) Consultation (SNP).

Persimmon have interests in a site to the south of the A30, Salisbury Road (referred to hereafter as the Site) which is allocated in the local plan for employment uses. The Site is shown on the enclosed Location Plan. Only the northern portion of the Site falls within the SNP boundary. The remainder of the Site falls within Melbury Abbas and Cann Parish, which is preparing a separate neighbourhood plan. Access to the Site from the A30, which has already been constructed, falls within the SNP boundary. The Site Location Plan is appended to these representations.

Persimmon Homes has submitted a planning application for the Site (LPA Ref: 2/2018/1773/OUT) which comprises residential development, employment generating uses, new school, public open space and other supporting development. This application remains undetermined.

It should also be noted that a housing scheme on land adjoining the Site at Higher Blandford Road to the west that was recently allowed at planning appeal (PINS Ref: 3227559). The development proposal comprises residential development for up to 55 dwellings together with associated open space and infrastructure (means of access to be determined only). Costs were awarded against the Council partly in relation to a lack of justification to substantiate Planning Committee members' reasons for refusal, particularly in respect of the 'tilted' balance under paragraph 11 of the National Planning Policy Framework (NPPF) that is engaged where a Council is unable to demonstrate a sufficient housing land supply to meet its housing needs across the 5-year period.

Representations

The SNP must meet the 'Basic Conditions' for a Neighbourhood Plan as set out in the Localism Act 2011 (as amended). Further guidance on the Basic Conditions is set out in the NPPF and Planning Practice Guidance.

The following section provides commentary on the SNP draft policies that are relevant to the above Site, with reference to the above legislative and policy/guidance context. Any factual errors identified in the SNP are also highlighted.

SFHE 1: Sustainability of New Developments

The first part of this policy states that '...there remains a substantial housing supply in comparison to the adopted Local Plan requirement'. This is a misleading statement given that the Council is currently unable to demonstrate a sufficient supply of deliverable housing sites as recently evidenced by the allowed planning appeal on land to the west that adjoins the Site.

SFHE2: To Learn from the Issues that have Arisen from Previous Large-scale Housing Developments in Shaftesbury

The Policy is unclear in its drafting. The first sentence indicates that the principle listed in the Policy applies to all housing development sites, yet the subsequent bullet point suggests that sites should only be small to medium sized (i.e. up to 1ha in size). The first bullet point of this

policy is considered superfluous and should be deleted. There are also provisions in this first section of the Policy which refer affordable housing provision, but affordable housing may not be required if a small or medium site does not deliver 10 or more units.

The Policy also sets out separate guidance depending on the scale of a site (i.e. whether it is above or below 1 ha in size) or its capacity (i.e. whether it exceeds 10 or more dwellings). For sites above 10 units or 1ha, the policy requires that part of the housing mix include accommodation for older people. Persimmon Homes are not aware of any evidence to justify a requirement for all major sites (10 or more units) to provide older persons accommodation. Notwithstanding the above, there is also no evidence (need or viability) to justify the proposed thresholds.

With regards to affordable housing, the Policy makes reference to giving priority to those with a 'local connection' in housing need. Firstly, 'local people' is not defined which makes implementation of the policy challenging. Secondly, priority for affordable housing should be based on housing need acuteness across the Dorset Council's administrative area in line with its existing allocations policies. Priority should not be based on whether a person is deemed to be a 'local'. The application of such 'local' restrictions limits the market to which a Registered Provider can operate within. This has a negative impact on the value of the affordable housing stock provide as part of a development and ultimately has a negative impact on the viability of a development. There is no evidence to support this approach in the SNP.

The Policy also make reference to using a Community Land Trust as a 'suitable delivery vehicle' for affordable housing. There are a number of other suitable and arguably more effective means of delivering affordable housing. There should be no presumption (implied or otherwise) that the Policy favours Community Land Trusts to deliver affordable housing. It is suggested that the reference to a Community Land Trust is removed from the Policy wording, but could be expanded upon in the supporting text.

Finally, the policy requires the 'pepper-potting' of affordable housing. Whilst it is agreed that a mix of housing and tenures is desirable, from a housing management perspective the grouping affordable housing in clusters tend to allow for more efficient management, particularly across larger development sites. It is suggested that this element of the policy includes the qualifying provisions: 'where possible and practical' in order to better reflect and not undermine the affordable housing policy in the adopted Local Plan.

SFHE3: Encourage Conditions for Attracting and Retaining Employment

This Policy repeats that set out in the adopted Local Plan and is therefore unnecessary. Notwithstanding the above, National Planning Policy requires that Plan consider alternative uses for allocated sites that have not been implemented. The Site has been allocated for employment uses for over ten years, and despite an on-going comprehensive and lengthy marketing campaign no commercial developer has been willing to take on the Site. There is no demand for this employment land. The justification for the wider range of uses (i.e. housing, retail, commercial and education) as proposed is set out in the submitted planning application should be read alongside these representations; a link to which is provided in the

footnote¹ below. It is suggested that this Policy is either deleted or amended to allow for a mixed use scheme to come forward.

The supporting text to this policy recognises that other non-B uses can provide employment provision and that consideration of wider variety of employment generating uses may be appropriate for existing employment areas. This is to be welcomed as the approach reflects provision set out in the NPPF including allowing the Plan to respond to changing market conditions and demand. It is Persimmon's view that such flexibility should also be extended to employment land / allocations (and should not exclude C-uses for reasons set out above). It is advisable therefore that the flexible-use provision is recognised in the Policy as opposed to the supporting text. Finally, there is also no justification for the threshold at which care homes would be eligible to count towards job provision, and the comment that care homes should not be located on an industrial (employment) site is speculation and not justified. Amenity issues will be dealt with through the planning application process. There should be no assumption that different uses will be incompatible.

SFGI2: Ensure Development Respects Shaftesbury's Topography and its Position in the Landscape

The Policy makes reference to the designation of areas shown on Map SFGI of the SNP and listed in the Local Green Space (LGS) Green Infrastructure Audit which supports the Plan. It is unclear why the plan makes reference to two separate sources of LGS. This is helpful for readers of the SNP. The relevant elements of the Green Infrastructure Audit should be referenced in the plan to assist with clarity and implementation of the Plan.

The Green Infrastructure Audit specifically identifies Persimmon Homes' Shaftesbury Road site. The Audit refers to the Site as being located on a 'gentle slope'. This is not consistent with the description of the Site set out in Policy SFGI2 (see below) which creates a conflict between the SNP and Green Infrastructure Audit. Also, for reasons set out below, the SNP's claim that the Site's location is 'sensitive' is a clear overstatement. The Audit suggests the Site should be included in the 'revised Slopes Policy' of the SNP, but it is not clear whether this relates to the current Submission draft Plan Policy, or an earlier draft of the SNP. This requires clarification. Finally, the Plan states that any open space within the Site should be designated as Local Green Space as soon as possible. It should be recognised that in order to designate Local Green Space a number of criteria set out in the NPPF need to be met. It is therefore premature to suggest that the open space should definitely be designated as such. It should also be recognised that new Local Green Space can only be designated through the Local Plan or Neighbourhood Plan updating/review process. The SNP also requires tree and hedgerow planting will be on all sides and within the Site. This is a sweeping statement that is not justified both in terms of an evidence based (notably landscape) and in terms of integrating the Site with the adjoining urban area to the north and housing site immediately to the west.

Map SFGI2 identifies key slopes in the area. The Site is located within an area described as being 'generally level areas or higher ground' and 'very sensitive to development'. It is not clear whether Policy SFGI2 applies to development in this area. Furthermore, it is inconsistent with the allocation in the Local Plan (and the proposals in SFHE3 of the SNP) to suggest that this land is highly sensitive when it has been proposed for development. As

¹ <https://planning.north-dorset.gov.uk/online-applications/simpleSearchResults.do?action=firstPage>

demonstrated through the planning application submission for the Site, development of the Site for housing (as opposed to employment) would have a reduced landscape impact, which further underscores Permission's Homes suggestion that the Site is more suited to a sensitively designed mixed-use residential-led scheme.

Map SFGI2a refers to a notable view from Higher Blandford Road. The view fails to recognise the recently approved appeal scheme on adjoining land to the east of Blandford Road, which will likely result in the loss of this view once constructed. This viewpoint should be deleted.

SFDH 2 High Quality Design

The Policy requires new dwellings to meet Building for Life accreditation and a Home Quality Mark rating to demonstrate their sustainability credentials. There has been no testing of the viability impact of the proposed enhanced standards, and no provision for such standards is made in either the local or national policy. This element of the Policy should be deleted or should be amended so that developments are 'encouraged' (not 'required') to meet such standards.

SFDH5: Accommodating Vehicles

When determining parking provision, the SNP Policy directs applicants to guidance contained in both Local Parking Standards and Manual for Streets. It is advisable the Policy refers to a single source of guidance to avoid confusion and conflict. There is a Dorset wide parking document already in place.

There is also no evidence assessing the viability impact of car charging points. This element of the policy is not justified. The NPPF advocates provision of electric vehicle charging points within new developments, but that this should be set at through building regulations or planning policy developed at the local level (i.e. by Dorset Council) and not through the Neighbourhood Plan process. It is also noted that the current adopted Local Plan for the area does not include such provision creating a clear issue of conformity between adopted Plan and the SNP.

If the SNP makes policy in this area there are several issues that it will need to consider carefully. Firstly, any policy should be justified by evidence demonstrating the technical feasibility and financial viability of its requirements. This justification should also include confirmation of engagement with the main energy suppliers to determine network capacity to accommodate any adverse impacts if all, or a proportion of dwellings, have charging points. This is necessary as if re-charging demand became excessive there may be constraints to increasing the electric loading in an area because of the limited size and capacity of existing cables. This might mean that new sub-station infrastructure is necessary, and this would need to be reflected in any costs within the viability study.

The NPPF also requires that any policy, including a requirement for charging points, should be clearly written and unambiguous (para 16). The policy will need to specify the quantum and type of provision sought either AC Level 1 (a slow or trickle plug connected to a standard outlet) or AC Level 2 (delivering more power to charge the vehicle faster in only a few hours) or other alternatives as may be required by evidence underpinning the Policy.

Until such time as the SNP undertakes the above, electric charging element of the Policy should be deleted.

SFDH6: Building styles and detailing

This Policy seeks to ensure that development is designed to reflect the level of detail typically found in traditional buildings of similar form and function. In other sections of the SNP, the Plan requires development to respond to the character of the surrounding area and its context. As described in the character assessment of the SNP, not all parts of Shaftesbury are traditional in character. As such, there should be no expectation that traditional design approaches should be prioritised in all new developments. The Policy also sets out detailed guidance on building facades and building / storey heights. The enhanced design required by the Policy has not be subject to viability testing and may be challenging to implement within some regulatory drivers relating to new build housing (including building regulations). Ultimately, this is an issue for the Case Officer and at a Local Plan level. The Policy should be amended accordingly.

SFDH7: Building Materials

The Policy refers to the use of materials 'that celebrate the area's heritage'. It is unclear what is meant by this statement. This will render implementation of the Policy by planning officers and applicants alike extremely challenging. This element of the policy is superfluous and should be deleted.

SFDH8: Preserve Shaftesbury's Unique and Fascinating Past

The Policy requires an archaeological assessment for sites where historic remains may be present. Application submission requirements, including those in relation to heritage, will be set out in the Council's Local List. There is no need for this to be restated in the SNP.

Policy SFCL1 Improve and Increase the Range and Availability of Community Facilities

The Policy sets out an expectation that new housing developments will provide new greenspace in in line with the standards and recommended distances defined by the Local Plan / Fields in- Trust. Again, referencing two standards could create conflict between policy provision and unnecessary uncertainty and challenges in the implementation of the Policy.

SFCL3: Support Safe Walking and Cycling Routes that are Well Connected

The final paragraph of this Policy states that contributions will be needed 'where reasonable and related to that development' - this is not the test of a development attracting a contribution - a contribution should make the development acceptable in planning terms which is a significant legal test. Furthermore the Policy wording does not reflect the tests set out in the Community Infrastructure Levy (CIL) Regulations (as amended). The test of the CIL Regulations should either be stated in full or this element of the Policy deleted.

Appendix H: Education

Paragraph 7 of this Appendix implies that Shaftesbury does not need a new school based on the current demographics of the Town. Whilst this is correct in the immediate term, the demographic profile of the town will not remain static throughout the lifetime of the SNP.

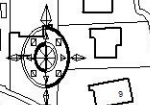
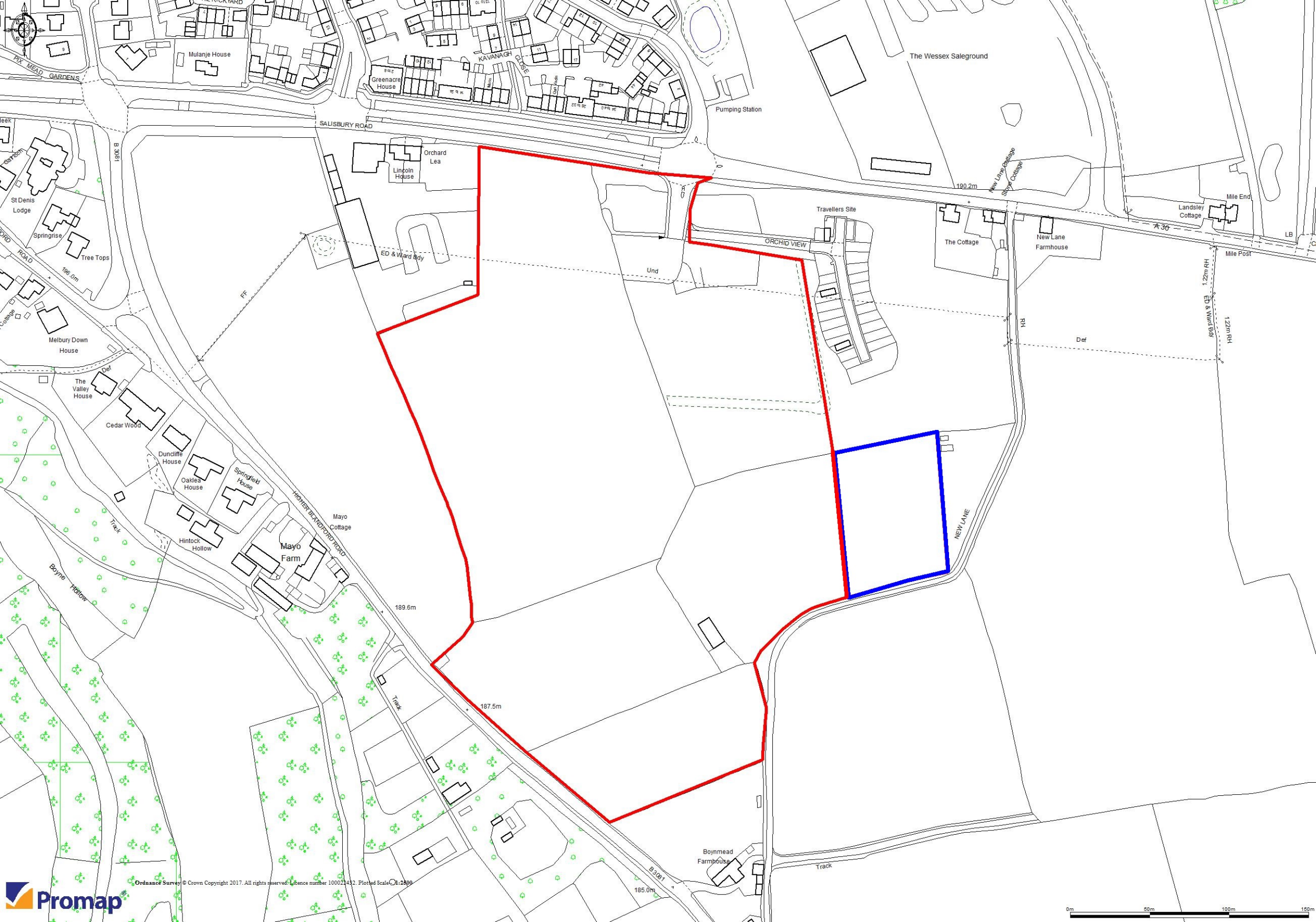
Discussions with Dorset Council education department as part of the negotiations associated with the Persimmon planning application, has indicated that a new school is likely to be required to meet demand in the near future (circa 5 years). A new school is proposed as part of the planning application submitted for the Site.

Conclusion

Persimmon welcomes the opportunity to comment on the SNP. There are a number of Policies and/or text continued in in the draft Plan (and supporting evidence) which require deletion or amendment as suggested above.

Persimmon have interests in a Site to the south of the A30, Salisbury which is allocated in the local plan and SNP for employment uses. As detailed in these representations, the SNP should recognise that the Site is more suited for a mixed use, residential-led allocation.

Persimmon would also like to register its interest in being involved in the SNP examination process in due course.



PK MEAD GARDENS

Mulanje House

Greenacre House

KAVANAGH CLOSE

Pumping Station

The Wessex Saleground

SALISBURY ROAD

190.2m

New Lane Cottage
Sally Cottage

Mile End

Landsley Cottage

Mile Post

St Denis Lodge
Springrise
Tree Tops

Orchard Lea
Lincoln House

Travellers Site

ORCHID VIEW

The Cottage

New Lane Farmhouse

Melbury Down House

EO & Ward Bdy

Und

Def

The Valley House

Cedar Wood

Dundiffe House

Oaklea House

Springfield House

Mayo Cottage

Hintock Hollow

Mayo Farm

189.6m

187.5m

NEW LANE

Boyne Hollow

Boynmead Farmhouse

Track

185.0m