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Sent: via Email only

Date: 21 April 2021
Ref: Wareham
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Dear Mr Hogger

WAREHAM NEIGHBOURHOOD PLAN SUBMISSION LPA SUBMISSION

Thank you for your letter and questions dated 18th March 2021 in response to the submission of the Wareham Neighbourhood Plan.

Please find attached the Councils response to the questions so far. We are still waiting to finalise the response to question 1. We will endeavour to send the final response to the Wareham Town Council for agreement and on to you as soon as we can.

We apologise for the delay.

Yours sincerely,

Jo Langrish-Merritt

Senior Planning Policy Officer

Community Planning

Dorset Council Response to Examiners Questions

Question for both Dorset Council and Wareham Town Council (1)

1. Dorset Council objects to the retention of the foot crossing at the railway station, as set out in policy PC1 (page 48). It is also confirmed by the Council (in its Regulation 16 response) that 'ramped and lift options' have been ruled out. On the Council's web-site¹ it states that 'talks will now continue between Dorset Highways and Network Rail to produce a more suitable solution for the community'.

I consider this to be a very important link in the route between Northport and the town. On that basis (and bearing in mind the clearly expressed views of the local community), I would therefore ask Dorset Council in consultation with the Town Council:

- (a) to explain what 'alternative solutions' have been considered;
- (b) to summarise the outcomes of that consideration and explain how it is envisaged that this issue will be satisfactorily addressed and over what timescale;
- (c) to confirm my understanding that the lease agreement with Network Rail comes to an end in 2038;
- (d) to confirm whether or not there is any substantive evidence that would lead me to conclude that a solution to the railway crossing, in the form of an electronic barrier or gates linked to the signalling system, cannot satisfactorily be achieved; and
- (e) to establish whether or not there are any modifications to policy PC1 and/or its supporting text, that would add greater clarity to the situation.

Response to follow

Questions for Dorset Council (10)

1. Can the Council confirm that the Wareham area was designated as a Neighbourhood Plan Area on 10 October 2015?

The Wareham Area was designated on 10th September 2015 (Approval letter attached).

2. Could the Council summarise the current situation with regard to the examination of the Purbeck Local Plan (2018 – 2034)? Is there an estimated timescale for the adoption of this document?

The Main Modifications consultation on the Purbeck Local Plan 2018-2034 has now ended and the inspector will consider all representations received. There is no estimated timescale for the adoption of this plan.

¹ <https://www.dorsetcouncil.gov.uk/roads-highways-maintenance/highway-improvements/wareham-pedestrian-level-crossing.aspx>

3. In paragraph 1.11 of the Welbeck Regulation 16 Response (Ref WA10) it states that the allocations in the Purbeck Local Plan 'are undeliverable and therefore should not be relied upon'. Is there any evidence to support this assertion?

The Council has no reason to believe that these sites will not come forward and it has included them in its housing trajectory between years 2025/26 and 2028/29.

4. Is the Council still anticipating that the publication of the draft Dorset Council Local Plan (2021-2038) will be in Autumn/Winter 2021?

The local development scheme (available via: <https://www.dorsetcouncil.gov.uk/planning-buildings-land/planning-policy/dorset-council-local-plan/evidence/dorset-council-lds-september-2020.pdf>) schedules the Dorset Council Local Plan for publication in September 2021 and submission in March 2022. The local plan has recently been subject to an options consultation which finished on the 15 March 2021. The local plan will now be reviewed to take into account the results from the consultation, input from statutory consultees and any new evidence that is required. This process is underway.

5. Planning Practice Guidance (PPG) Reference ID: 41-009-20190509, advises that 'where a neighbourhood plan is brought forward before an up-to-date local plan is in place the qualifying body and the local planning authority should discuss and aim to agree the relationship between policies in the emerging neighbourhood plan, the emerging local plan and the adopted development plan'.

Could the Council confirm that such discussions have taken place and summarise any conclusions that were drawn?

The Council can confirm that several meetings took place, including during the Purbeck Local Plan (2018 – 2034) hearings period, to agree what policies were strategic and which were not strategic and avoid potential conflicts between the emerging policies.

<https://www.dorsetcouncil.gov.uk/planning-buildings-land/planning-policy/purbeck/purbeck-local-plan-examination.aspx>

SD118, SD119, SD120, SD121, SD124, SD91: [sd91-council-response-to-actions-8-9-and-10-final.pdf](#) (dorsetcouncil.gov.uk)

[sd91-council-response-to-actions-8-9-and-10-final.pdf](#) (dorsetcouncil.gov.uk)

To address conflict between strategic and non-strategic policies the Council suggested a number of modifications to policies and supporting text in the emerging Purbeck Local Plan (2018 – 2034) (please see the attached PDF). The remaining conflicts were in relation to:

Policy H8

There was still some disagreement regarding the scope of Policy H8 (a criteria based policy which makes provision for small scale residential developments around existing settlements) – the Council considered that the policy should remain strategic because of its role in housing land supply. A further amendment to Policy H8 was suggested to address the conflict and to satisfy the

Neighbourhood Plan Steering Group's concerns. Policy H8 has been amended during the modifications process to the satisfaction of Wareham Neighbourhood Plan Group.

Policy I4

The Neighbourhood Plan Steering group feel that the Council should identify further 'strategic' open space in Wareham so that the emerging neighbourhood plan and Purbeck Local Plan are consistent with one another. The Neighbourhood Plan Steering Group considers that there are some inconsistencies in the Council's approach to identifying open space and that the differences between the plans are likely to create confusion in decision making. The Steering Group specifically referenced the playing fields that can be accessed off Worgret Road that formally related to Wareham Middle School.

The Council made the decision not to specifically designate any open spaces as part of the emerging Purbeck Local Plan (2018 – 2034) , leaving it to the neighbourhood plan to designate as a Local Green Space if desired, along with other sites. These Local Green Spaces will be added to the policies map when the neighbourhood plan is made (adopted). The middle school playing fields are protected under existing policy and proposed Policy I4.

6. Can the Council confirm that the policies in the WNP, if made, would not unduly influence or constrain any emerging policies in either the Purbeck Local Plan (2018-2034) or the Dorset Council Local Plan (2021-2038)?

The Council can confirm that the policies in the WNP would not unduly influence or constrain any emerging policies in either the Purbeck Local Plan (2018-2034) or the Dorset Council Local Plan (2021-2038) subject to the Examiner agreeing that the boundaries relating to the safeguarding of employment sites, such as the employment site at Sandford Lane, is a strategic policy matter that should be dealt with as part of the emerging Purbeck Local Plan and the emerging Dorset Council Local Plan rather than the WNP.

In terms of any other conflict between policies, the Council is of the opinion that, in accordance with section 38(5) of the Planning and Compulsory Purchase Act 2004 any conflict between policies would be resolved in favour of the policy which is contained in the last document to become part of the development plan. In connection with this point it should be noted that paragraph 30 of the NPPF reads as follows:

'Once a neighbourhood plan has been brought into force, the policies it contains take precedence over existing non-strategic policies in a local plan covering the neighbourhood area, where they are in conflict; unless they are superseded by strategic or non-strategic policies that are adopted subsequently.'

7. Paragraph 3.4.2 (page 22) of the WNP, regarding the Westminster Road and Johns Road Industrial Estates, states that although the sites were 'safeguarded as employment land within the 2012 Local Plan, their retention is no longer considered to be a strategic matter'. Dorset Council has not objected to this reference. Can I therefore conclude that the statement is considered to be accurate by the Council?

From the Council's perspective this statement is inaccurate at present. However, once the Purbeck Local Plan (2018 - 2034) is adopted the safeguarding for employment land would be removed from the parts of land allocated for residential use in the Wareham Neighbourhood Plan. (Please see inset Purbeck Local Plan policies map for Wareham which identifies the land which will no longer be safeguarded for employment uses: [image of map of Wareham \(dorsetcouncil.gov.uk\)](https://www.dorsetcouncil.gov.uk)). Until then, the adopted development plan for the area includes the Purbeck Local Plan Part One which safeguards this land for employment uses.

8. In Dorset Council's Regulation 16 response (Ref WA14), with regard to Sandford Lane Employment safeguarding (policy H11 – page 34), it states that there is a difference between the proposed area for safeguarding in the WNP and the area identified in the Purbeck Local Plan review. The Town Council has tried to address this matter in its comments on the Regulation 16 responses submitted (page 2). Does the Town Council's commentary alter the view of Dorset Council on this matter? (see also question 16 to the Town Council).

The Town Council's commentary does not alter the view of Dorset Council on this matter. The land is allocated and safeguarded for employment uses by both the current adopted plan for the area, the [Purbeck Local Plan Part One](#), and the emerging [Purbeck Local Plan \(2018-2034\)](#). It is also proposed to remain as an employment allocation in the emerging [Dorset Council Local Plan \(2019 – 2038\)](#). Sandford Lane Industrial Estate is an important employment allocation, particularly as the emerging Purbeck Local Plan 2018-2034 proposes removal of some safeguarded employment status from the other two employment sites in Wareham, Westminster Road Industrial Estate and Johns Road Industrial Estate. Furthermore, the Council's Economic Development Team does not support release of this site for housing at this point in time.

9. What benefit would there be in converting the list of pedestrian and cycle route infrastructure improvements in policy PC2 (page 49), into a prioritised list?

The Council's concern is that identifying the infrastructure improvements in a policy could raise expectations regarding delivery when their implementation, through the use of s106/CIL funds, is largely outside the control of the neighbourhood plan. However, the Council does not object to the retention of Policy PC2 if the examiner considers it to be beneficial.

10. In the suggested wording amendments to policy LDP1 (page 64) put forward by Dorset Council:

- **In the fifth bullet point, should the suggested word 'heights' be replaced by 'depths'?**
- **In the sixth bullet point, why should the reference to 'natural stone' be deleted?**
- **Why should the last bullet point (regarding meter boxes, pipes, solar panels etc.) be deleted?**

The comments on LDP1 result from the Council's concerns regarding the design policies being overly prescriptive and as such the Council's Conservation Officer felt an element of flexibility would be helpful when applying the policy.

- **In the fifth bullet point, should the suggested word 'heights' be replaced by 'depths'?** The Council would be content with this change.

- **In the sixth bullet point, why should the reference to ‘natural stone’ be deleted?** The Council’s Conservation Officer considered it to be overly prescriptive and, consequently, he was of the view that it would create a pastiche environment preventing the organic evolution of the character of the area.
- **Why should the last bullet point (regarding meter boxes, pipes, solar panels etc.) be deleted?** The Council’s Conservation Officer considered this to be covered by national policy and building regulations and therefore to specify this again was unnecessary.