

West Dorset, Weymouth and Portland Local Plan Examination

Examination Statement of Grainger plc (part of the North Dorchester Consortium)

MATTER 1: Procedural Matters and Legal Compliance including Duty to Cooperate and Sustainability Appraisal

- 1.1 *Have the Councils met the Duty to Cooperate or are there any outstanding issues?*
- 1.1.1 The Inspector identifies in his letter to the councils dated 10 December 2013 areas of concern in relation to the Duty to Cooperate and housing provision. He confirms that there are a number of strategic cross-border matters which have not been resolved (referring in particular to Lyme Regis/Uplyme, Crossways/Morton and the edge of Yeovil).
- 1.1.2 We are of the view that there is not an effective strategy in place to deal with cross-border strategic matters on adoption of the Plan. Whilst there is evidence that there is a general 'agreement to agree' between neighbouring authorities, we do not see this as satisfying the Duty to Cooperate.
- 1.1.3 For example we note that a strategic housing market assessment has been prepared for the 'rest of Dorset area', although the findings are not yet in the public domain. Given the international nature conservation constraints of the Dorset Heathlands it is not currently clear whether Purbeck district will be seeking to meet its objectively assessed development requirement entirely within its boundary. We note that a partial review of the Purbeck Local Plan part 1 has already commenced.
- 1.2 *Has the Local Plan emerged from an open and transparent process that demonstrates how and why it was selected, in consultation with the public and other stakeholders?*
- 1.2.1 The Inspector identifies the following in his letter to the councils dated 10 December 2013:
- "I am concerned that potential respondents to consultation events may have found the process confusing particularly as sites have changed before and after the Plan was submitted. I am worried that late changes to the Plan following committee meetings in May 2013 has added to the uncertainty increasing the risk that members of the public and other stakeholders have not commented because they did not understand what constituted the revised form of the Plan. In addition, I have found it difficult to understand the changes being proposed in the

potentially 'revised' version of the Local Plan because of the confusing mix of blocked and coloured text."

1.2.2 We share this concern. To add to the confusion we note that the rather hurried further proposed changes consultation by the councils this summer did not provide a readily available comprehensive tracked changes version of the plan.

1.2.3 We believe that the Inspector's overall conclusion in December 2013 remains valid, and communicates the fundamental flaw in the soundness of the plan:

"...in this particular instance, the Plan appears to have evolved as a reaction and counter-reaction to representations rather than as a well-honed strategy which promotes a logical and reasoned means of addressing the difficult issues facing both authorities".

1.3 *Is the work undertaken on Sustainability Appraisal comprehensive and compliant with legislative requirements?*

1.3.1 The plan preparation process is legally compliant insofar as a Sustainability Appraisal has been undertaken. However we do not consider that the Sustainability Appraisal is comprehensive or sound.

1.3.2 The process has failed to identify and test options relating to the key strategic issues and problems facing the authority areas, as follows:

- The full range of housing and employment growth options put forward by the councils in evidence and by objectors through evidence
- The implications of spatial growth options on commuting patterns
- The economic challenges of inward migration, an aging population and a high reliance on public sector employment, and whether or not a more proactive strategy is needed to intervene with the direction of current trends
- The relative sustainability of different towns in the District as development locations and their specific needs and opportunities, for example in terms economic development potential and relative scale of affordable housing need.

1.3.3 In view of the above, the plan lacks an obvious strategy or rationale for how each of the difficult issues identified above can be addressed.

- 1.4 *Is the plan period consistent with legislative/regulatory requirements?*
- 1.4.1 The proposed approach of the authorities is unsound. Assuming plan adoption in 2015 this would lead to the lifespan of the plan being 13 years, which is less than the 15 years preferred by the NPPF.
- 1.5 *Has the Local Plan been prepared in accordance with all other statutory procedures and regulations?*
- 1.5.1 Whilst we have been concerned about the often confusing and uncertain approach that the planning authorities have taken to consulting upon various versions of the plan, which include considerable variation in the range of sites included and excluded, we have no evidence that the statutory requirements in relation to the production of documents and consultation still fail to be met.